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LOCAL GOVERNMENT
IN THE UNITED STATES
A Challenge and an Opportunity

BY

MURRAY SEASONGOOD



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FOREWORD

THE giving of the following lectures was, for me, a very happy occasion. The old story, variously ascribed to Julia Ward Howe or Mrs. Jack Gardner, "that she was glad to see the Massachusetts Charitable Eye and Ear Infirmary because she had not supposed there was a charitable eye or ear in Boston," was most inapposite in connection with my visit to Cambridge. Aside from much delightful hospitality, it was most encouraging to note the interest in the subject of local government, which evidenced itself in invitations to speak before numerous college and other groups in Cambridge, Boston, and vicinity. At the kind suggestion of Professor A. N. Holcombe, I had the very great pleasure of delivering a lecture to five or six hundred students in Government 1, in the New Lecture Hall.

My special thanks are due to the Harvard University Press for its careful editing and printing of these lectures, and particularly to Mr. J. T. Day, who went over the manuscript and made many helpful suggestions.

MURRAY SEASONGOOD

CINCINNATI
December, 1932

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Lecture I

CITY GOVERNMENT — CINCINNATI

IT is a rare privilege and honor to have the opportunity of delivering this year's Godkin Lectures. I feel, however, a great deal of trepidation in trying to make them worthy of so heroic a character and in following the distinguished persons who have given them. They originated in 1903, a year after Godkin's death, and are to be upon "The Essentials of Free Government and the Duties of the Citizen," or upon some part of that subject. The first series was given by Mr. (later Viscount) James Bryce. President Eliot, in introducing him, said:

These lectures upon government and civic duty are in remembrance of a man who gave his life to the public through the medium of the press. . . . Mr. Godkin was a man of remarkable vigor and great candor, and of unremitting devotion to lofty ideals of public duty. . . . He died without seeing his ideals realized. After his death, friends, acquaintances, and persons who had never known him, raised the fund for the purposes of these lectures.

Mr. Bryce then spoke of Mr. Godkin as follows:

Courage, unselfishness, public spirit — those are the virtues needed to benefit a community and these Mr.

Godkin possessed. He hated corruption, ignorance, and inefficiency in public affairs, and they raised his ire as an offence against himself would have done.

Part of the inscription, composed by Mr. Bryce, on the tombstone of Mr. Godkin refers to him as "Publicist, Economist, Moralist," and after adding that he was born in 1831 and died in 1902, and was for forty years a citizen of the United States, continues:

Gifted with a penetrating intellect and singular powers of expression, constant in friendship, tireless in energy, dauntless in courage, a steadfast champion of good causes and high ideals, he became an inspiring influence, and bore a foremost part in all efforts to make government just, pure, and efficient. . . .

A study under such auspices of local government in the United States and how it may be improved seems therefore especially appropriate. In the periods just preceding and just following the Civil War municipal government received scant attention. In New York City, where Godkin battled for so many years as editor of the *Nation* and of the *Evening Post*, the Board of Health, for example, was an unimportant branch of the Street-cleaning Department and, with all city departments, was manned by the most disreputable and vicious characters. Here is Godkin's spirited description, written in 1857 to the London *Daily News*:

I am almost afraid that if I attempted to give you an exact and literal account of the class of persons by whom the various civic offices are filled in New York, I should lay myself open to the charge of practising upon your credulity. It would reveal a state of things so utterly opposed to all Old World experiences as to be, to the mass of your readers, absolutely incredible, unless backed up by stronger testimony than can be furnished in a letter to a newspaper. I cannot convey an idea of my meaning better than by putting a case nearly parallel. I say "nearly parallel," because it will fall somewhat short of the truth, not because it will be somewhat of an exaggeration.

If you can suppose all the landed gentry, all the leading professional men, all the well-to-do merchants and shopkeepers in London, to occupy themselves solely with their business and their amusements, and to repudiate all connection with, or interest in, city matters, as disreputable and disagreeable; if you can suppose a series of meetings to be convened by the leading publicans and prize-fighters in St. Giles's, Whitechapel, and Mile-end, and attended by their customers, by pawn-brokers' clerks, cabmen, and costermongers, and candidates to be then and there put in nomination for the various city offices and boards, common councilmen, aldermen, sheriffs, police commissioners, paving and lighting board, police magistrates, and, in fact, for every possible function connected with the government and administration of London; if you can suppose these candidates, thus proposed, to be elected by the votes of the male denizens of the worst portions of the east end, to meet under the presidency of a fraudulent bankrupt, who had failed in obtaining his certificate, and to vote

taxes *ad libitum*; if you can suppose the police to be selected from amongst the most turbulent from the alleys on the Surrey side of the river, and the inspectors to be chosen from amongst the keepers of the best-known sporting public-houses, some of them having been guilty of gouging and biting off noses, and all of them known friends and associates of prize-fighters, thimble-riggers, and other disorderly characters; if you can suppose the city thus governed, to be taxed seven times, or thereabouts, over and above the just and necessary expenditure — the pavement in all the leading thoroughfares to be so bad, and the mud so deep, that hansom cabs had to cease running; and the dust, owing to the absence of any means of watering the streets, to be so great as to destroy, each week, some hundreds of thousands of pounds worth of property, besides doing irreparable injury to the health of the inhabitants; if you can suppose all this, and then put it together, and conjure up before your mind's eye a picture of what London would be under such circumstances, you would have a tolerably accurate, though probably a still somewhat defective notion of the state of affairs in New York at the present moment. The meetings of the Common Council are marked by slang, ribaldry, and drunkenness, and the members are mainly low Irishmen of intemperate habits, who have been unable or unwilling to gain a livelihood in any honest calling. The population of the city is little more than twice that of Manchester, and the expenditure is seven times greater, and yet it is neither paved, cleansed, nor watched. All the better classes deplore and mourn over this, but sooner than put their shoulder to the wheel by going to the polling booth, they pay their contribution, look after their warehouses, and

try to make up for external discomfort by luxury and splendor at home.

This account of New York City politics might fairly apply to municipal government generally in other large cities of the country at that time. During war periods, such as those of the Civil War and of the World War, attention is inevitably concentrated upon the armed foe, and the insidious internal enemy, corrupt government, attacks the republic without opposition or notice. The reading in schools of such books as *Boss Tweed*, by Denis T. Lynch, *City Bosses in the United States*, by Harold Zink, *The Shame of the Cities*, by Lincoln Steffens, and *Bossism in Cincinnati*, by Henry C. Wright, should be made compulsory, so that there might well up in the reader a sense of shame and a resolve that such things should not continue to be. The depravity in American public life shown in these volumes makes one think of Caligula, Nero, Machiavelli, and all the other bad men of history.

Following the Civil War, the overwhelming problems of the Negro, reconstruction, and the internal development of the country diverted attention from the consideration of local government, and the degrading reign of the bosses was uninterrupted for a generation. With the beginning of this century, however, sporadic attempts at betterment manifested themselves, and organizations de-

voted to furthering the cause of good government joined the pioneer National Civil Service Reform Association, which had been started in 1881, and the National Municipal League, incorporated in 1894. The first Bureau of Governmental Research was established in 1906. The Galveston flood in 1901 led to the establishment of the commission form of government in that city; in 1913 the Dayton flood afforded opportunity for dramatic presentation of the possibilities of city-manager government in a large city. But in the period of prosperity and the full dinner pail preceding the World War, and again in the period of inflation following it, losses and increased expense incident to corrupt or incompetent local government received scant heed. Excessive taxes were just another cost of the business, like insurance, industrial compensation, or heat and light, and were passed on to the consumer. With so much money to be made in business and the professions, it seemed wholly unimportant that the bosses were accumulating huge fortunes illegally, and for prevention few had time to spare from the more engrossing activities of piling up surpluses and declaring and spending extraordinary dividends.

But now, in the time of trouble, this lack of attention through so many years to this most important field of government in our country is having

grave results. The taxpayer is resentful of his teeth being set on edge because of the sour grapes eaten by the city fathers of other times; he revolts at the heavy needless burden he is made to bear, and without adequate information demands that local government shall assume new and costly services, including unemployment relief on an unprecedented scale, and yet shall operate with reduced taxes. He wants two and two to make two — like the Kansas Legislature which for convenience by statutory enactment changed pi from 3.1416 to an even number.

The book of Ecclesiastes says, "In the day of prosperity be joyful; and in the day of adversity consider." Well, no one need be told this is a time for consideration; there is a very real and serious danger if the problems that have arisen are settled unwisely. All sorts of advisers, lacking enough information, honesty, and judgment to counsel well, are becoming clamorous. There are those, some with great names, who simply assert and repeat that taxes must come down. There are others who recommend a horizontal cut in salaries and services, which has the merit of uniformity but may work the greatest injustice and disaster. Generally speaking, public salaries are not too high; they are too low, if good service is given, and to cut some of them will work unjustifiable hardship.

There are makers of budgets who classify services such as police, fire, sanitation, and health as primary, and recreation, education, and welfare, including allowances for parks, planning, and other activities, the results of which are not immediately and directly visible, as secondary, and who insist that the latter shall stand the cuts.

This view is a mistaken one. If, for example, you curtail the workings of your city planning commission, and permit the creation of a dead-end street that is too long, you may create a serious fire hazard, and in any event you will add permanent expense to the city in garbage and refuse collections and other city services. If you have less public recreation, you will surely have to pay for more delinquency and sickness. The so-called secondary services are newer and not so well understood as those classified as primary, but they are equally important. In a period of stress and want, morale must be maintained and irretrievable mistakes, the consequences of which will last for years, must be avoided. If you skimp the so-called secondary services, you are more than offsetting the saving because of the increased demands of policing, hospitalization, and other so-called primary services.

Then there are those medicine-men who, realizing that the burdens of these times are more than the finances of local communities can stand, pre-

scribe, as a condition of state or federal assistance, complete control and the power of veto by the assisting agency. Here is another very real menace to the cause of good local government. It is possible for citizens to organize so effectively as to bring about efficient administration in their city or county, but the difficulties of like attempts in the state and nation are infinitely greater, and the principle of home rule in local affairs may be dealt a death blow if a forward-looking community is required to submit to the dictation of hostile, politically-minded state or federal commissions or officials. It is perfectly feasible, as has been attempted in England, for the national or state governments to make lump appropriations to local communities, in need of the greater resources of the granting authorities, and not to interfere with the discretion of the local officials in the use of the funds granted. There the matter of distant control is not so important, because both national and local officials are trained administrators selected, after severe examination, under the merit system, and have a common purpose. The conflict between the state politician with the power of veto and control and the local, independent good government group does not arise. After all, the funds allotted originate in the local community in about the proportion in which they are returned, and as a matter of

justice why should that which was contributed be restored only with the oppressive condition of control and veto? The matching of federal and state aid with local funds has, generally speaking, been productive of extravagance, and in some instances has led to the making of improvements wholly out of keeping with a sound local plan. The evils that will result from remote and bureaucratic control of city functions will be even worse.

One of the great objects in life should be to attempt to reap some good from calamity.

Sweet are the uses of adversity,
Which, like the toad, ugly and venomous,
Wears yet a precious jewel in his head.

The yield to be gleaned from this period of sorrow and want is the recognition of the importance of local government, and of the fact that the best way to reduce taxes is to have competent government in the cities and counties of this country. The emphasis has been heretofore on savings in national and to some extent in state government, but the amounts spent on local administration far exceed the sum of the state and national expenditures. The debased public morality which made possible for so many years in this country the rule of Tweed, Croker, Kelly, and Murphy of New York, McLaughlin of Brooklyn, McManes, Durham, and Vare of Phila-

delphia, Magee and Flinn of Pittsburgh, Butler of St. Louis, Cox and Hynicka of Cincinnati, Lundin, Sullivan, and Thompson of Chicago, Behrman of New Orleans, Ames of Minneapolis, and Ruef of San Francisco has not aroused the capacity for sustained indignation and effort which should long since have swept aside the despoilers of our cities. Well, then, if the moral nature of our people has not been sufficiently stirred to make such outrages impossible, let the depleted purse accomplish the same result. Let people understand that poor local government is extremely costly to them, whether they pay direct taxes or only the cost of taxes borne by the landlord and the purveyor; that millions of dollars of tax money can be saved by efficient local government, which can be obtained, howbeit with difficulty. Then this long period of calamity and suffering will not have been in vain.

We in Cincinnati do not need to philosophize about these matters. We know what can be accomplished from the experience of our own community.

For more than forty years preceding 1926, Cincinnati and Hamilton County were grossly misgoverned. Ours is a city of great charm, beauty, and individuality. Mrs. Trollope did not think well of us, judging by her *Domestic Manners of the Americans*, written in 1831, after her unhappy

business venture in Cincinnati, but Dickens, in his *American Notes*, found Cincinnati one of the few places in our country of which he could approve. Longfellow proclaimed it

The Queen of the West in her garlands dressed
On the banks of the beautiful river.

In 1843 John Quincy Adams, then seventy-six years old and far from well, made the long hard trip there to speak at the laying of the corner stone of the first public observatory in America, and one of the lovely hills surrounding Cincinnati is still called Mt. Adams in memory of that event. The first municipal university in our country was established in Cincinnati in 1870, and has grown to be an institution attended by more than 12,000 students, to which the city contributes annually more than half a million dollars from public taxation. The faculties of law and medicine are more than 100 years old, and so is the Ohio Mechanics Institute. The Young Men's Mercantile Library and the Literary Club are almost as old. The city is perhaps the only one in the world which owns and operates a steam railroad. This was completed in 1880 with the proceeds of city bonds, having been tracked through two states and tunnelled through mountains to Chattanooga, 334 miles away. Cincinnati has some of the most precious art collec-

tions of the country. Its Rookwood pottery has for a long time been the admiration of those interested in ceramics. Two of the country's greatest painters, Duveneck and Twachtman, were loyal Cincinnatians. We have an excellent symphony orchestra, and our biennial May Music Festivals have been international musical events for more than fifty years. Just beyond the city limits, in "Mariemont," is a model planned town similar to the English garden cities. Cincinnati's schools have been highly regarded and its charities extremely well conducted, with a community chest in successful operation for many years as the principal medium of collection and distribution. The people are predominantly of German extraction, and many of them are descendants in the third or fourth generation of immigrants who came there in the forties.

I mention these matters not in a boastful spirit, but as indicating, one would suppose, that this ought to be a well-governed city. However, until its most recent struggle for good government, it was not. Until the early eighties the city was usually Democratic in politics, but the corruption of the local party caused a shift to the Republican side. It was a conservative and law-abiding community, but with an unsuspected capacity for indignation and fury that in 1884, following denials

of criminal justice in the courts, led to the burning of the Court House by a mob.

Then followed the rise of the Republican gang led by George B. Cox. In 1896 the Southern Railroad, the city's proud possession just referred to, now profitably leased for ninety-nine years, was saved by only a few hundred votes from being sold on the most preposterous terms at the instance of Boss Cox. Cincinnati was developed originally as a river city, and will share in the benefits resulting from the canalization in recent years of the Ohio River, and the increasing use of inland waterways as arteries of traffic. But it had a narrow escape in 1905. The Cox-controlled City Council granted to a railroad the right to build an elevated steel structure in such a way across the public landing as would have made access to it from the river impossible. This grant was fortunately invalidated by the courts at the suit of a taxpayer.

The schools were starved, and city bonds for current expenses were habitually issued to permit the squandering of huge sums in the county, with the total tax rate yet kept below the boiling point of revolt. These are merely instances of a long list of outrages perpetrated on a seemingly defenseless city by an iniquitous boss and his gang.

In 1904 Lincoln Steffens referred to Cincinnati as "corrupt and contented," and termed it the worst-

governed city in the United States. Shortly before the November election in 1905 an eminent Republican, the late Chief Justice Taft, then Secretary of War, uttered his famous philippic against the Hamilton County Republican gang, its "cohesive power of public plunder," and the fortunes of its leaders, ending with the recommendation to vote for the state Republican ticket but against the county ticket. In 1906, and again in 1908, legislative investigating committees showed, before they were stopped by hostile courts, a most depraved condition of public affairs in Cincinnati and Hamilton County. Rud K. Hynicka, Cox's principal lieutenant, to save himself from indictment and in compromise of suits brought by the Prosecuting Attorney, paid back to the county treasury for himself and other treasurers more than \$214,000, the interest on public funds which they and Cox had received. But Hynicka continued to be boss for twenty years more, until his death. Three judges of an appellate court testified in a hearing before a legislative committee, which was investigating political conditions in Cincinnati and Hamilton County, in much the same way as the Lexow and Hofstadter committees exposed conditions in New York, that they had been sent for by Cox in his little office over the Mecca saloon and had then been directed to reverse a judgment about to come

before them for review, by which the city had been awarded a recovery of \$238,000 against a construction company. One of the judges told the committee he had replied to Cox that he would go according to the law and the evidence. Another admitted he had answered "that he understood that the case took thirty days to try, and a court which occupied thirty days in trying a case of that nature would probably make error that would require it to be reversed." The third judge said he did not remember the circumstances as clearly as had his fellow judges, but thought that there was some talk of a compromise pending between the city and the company; Mr. Cox hoped, he assented, that the court would give the case very full and careful consideration. The judge who said he would go according to the law and evidence was not renominated. This was the first time a judge of the Circuit Court who had served a term satisfactorily had not been renamed for office. The other two judges were renominated and reëlected.

Such was the helplessness of the electors and the baseness of the Cox (later Hynicka) regime that with only sporadic and evanescent attempts at improvement things became worse and worse. The city was deteriorating rapidly. The streets were atrocious; a newspaper cartoon, exaggerated but expressive, showed a citizen's head projecting

above a gaping hole in the street and the unfortunate man exclaiming, "Hey, don't just help me! Get ready to pull my horse out, too."

By 1923 the city was at the nadir of degradation. Hynicka, who upon Cox's death had succeeded to his title and power, like a satrap spent away from the province he governed so despotically, most of the year in New York or California, whence he emitted orders by telegram or telephone. The city had all but ceased to function. New construction of highways and sewers had practically ceased; police were laid off, fire stations abandoned, and street lighting and cleaning curtailed. The government was one of favors to adherents and punishment of those thought to be opposed. Only a city of the solid financial strength of Cincinnati could have survived without bankruptcy the loot and rapine to which it was subjected, practically without intermission, for a period of more than thirty-five years.

One cause of Cincinnati's helplessness, despair, and cynicism was the strait-jacket charter it had had forced upon it in 1917 by the politicians. This instrument made independent voting impossible: no candidate could be nominated by petition or except at the party primaries, and voting was only under the party emblem. A large council of thirty-two was composed of six members at large (and

there was no reason for some of them being at large, since they were known malefactors) and twenty-six others elected one from each ward. The balance of power for the Republican machine was ensured by some ten thousand Negro votes which could be counted on absolutely, no matter who might be the candidates. Many of these voters were ignorant and vicious. The voting instruction was: "Youse guys put your X under the chicken with the short legs." They could not read or write, but they could be taught to distinguish an eagle from a rooster; or, if that was too much, their ballots could be illegally marked for them. The grossest election frauds were practiced. Gambling (crap games, wheels, and race-horse handbook betting), street walking, violence, bootlegging, and drug peddling all flourished, particularly in the West End or Negro quarter, where the decent Negroes were the worst sufferers. The police were thoroughly demoralized; seventy-two were convicted or pleaded guilty in the Federal Court and were sent to Atlanta Penitentiary for complicity in bootlegging, after a councilman turned state's evidence and confessed having bribed some of them. The connection between the depraved element and the gang leaders was, as it always is, close. Bonds were signed or obtained for criminals, and "intercession" with judges and prosecutors occupied a

large part of the time of the boss of the Negro wards and of public officials.

Then came the most remarkable volte-face in American municipal government, as a result of which Cincinnati is now ranked by Dr. Jerome Kerwin, of the Political Science Department of the University of Chicago, and other experts in the field of municipal administration as one of the two best-governed cities in the country (the other being the university city of Berkeley, California). Dr. Thomas H. Reed, Professor of Political Science of the University of Michigan, wrote in the *Survey Graphic* of October, 1931, "There has never been a better good large city government in this country or in Europe than Cincinnati since 1926." This extraordinary transformation began in October, 1923, and was fully accomplished in less than three years.

Captain Victor Heintz, who had been Republican Congressman from the Second Ohio (part of Cincinnati) District, one of two congressmen who resigned their seats to enter the World War, conceived in 1920 the idea of the Cincinnati Association, and proceeded to organize it. He had served with distinction and had been decorated for bravery on the field of battle; returning, he desired to translate into peaceful endeavors some of the high enthusiasm, idealism, and love of country en-

gendered and manifested in the great conflict. The Cincinnati Association was, he thought, a means to this end.

This society consisted of about fifty young business and professional men. It aimed to discuss and act on public questions, with special emphasis on municipal affairs. One of the subjects to be argued in October, 1923, was an extra tax levy to be submitted by the city authorities to the electors. The substance of the negative argument presented by me in the debate was that the government of Cincinnati was archaic, inefficient, and wasteful, — to use no harsher terms, — and that it was poor business to provide further funds to be squandered by incompetents; further, that the County Budget Commission, consisting, under the law, wholly of county officials, took for the county more tax funds than necessary for proper administration of its affairs, and in an effort to keep down the total tax rate starved the city with an insufficient allowance, requiring its officials, who, because all were part of the same gang, had not enough fortitude to protect its interests and demand a fair allotment, to make piteous appeals to the voters for extra levies.

Ordinarily the deliberations of the Cincinnati Association received scant attention in the daily press. This meeting, however, happened to be covered for the morning papers by two cub re-

porters, and they thought they saw a news item in the denunciation of the local administration. The speech was printed substantially in full; this was "the shot heard round the wards." The city officials met it with a salvo of abuse. Had they said nothing, the matter would doubtless have ended right there. But when assailed it was necessary for me to reply, and attack and counter-attack appeared in the press. At length I suggested that the controversy was too important to be waged only in a newspaper battle and that there should be a debate. The city officials, while refusing to debate, nevertheless consented to appear wherever I spoke, and the proceeding resolved itself into a debate in which I had opportunity to urge for our city a non-partisan, small-council, city-manager form of government. To my great surprise, I found a large mass of citizens deeply concerned with the mismanagement of the city's affairs. Interested, fair, and enthusiastic crowds attended the meetings, even in gang-controlled clubs and associations, and the press carried full accounts of what was said. Editorially all the newspapers were dissuasive, and one of them termed me a bolshevist and described opposition to the extra levy as sabotage.

At the risk of being likened to the old gentleman telling his grandson his glorious part in the Civil War, to whom the boy replied, "Grandpa, did any-

one help you fight the war?" I must state that this contest was conducted singly and without assistance other than information clandestinely conveyed. Friends and acquaintances meeting me on the street would look both ways to see if anyone was coming, and if not would hastily exclaim, "Great stuff! I am with you, but don't use my name." Just before the election one of the papers carried a full page of endorsements of the extra levy by many leading citizens; nevertheless, it was overwhelmingly defeated. The city officials then foolishly undertook to punish the citizens further by refusing them many necessary services on the specious plea of no funds.

Shortly after this vote of lack of confidence a group of half a dozen, two of them women, without organization or funds, drew up an amended charter to submit to the voters. It called for a council of nine, to be elected at large for a term of two years on a non-partisan ballot by the Hare system of proportional representation; anyone could be nominated by the petition of 500 voters. The Council was to select one of its members as mayor and presiding officer, with larger appointive powers than in the usual city-manager system, and was also to elect a city manager, not necessarily a resident, who would be the chief administrative officer, employed at will. Another provision forbade any

employee in the administrative service to engage actively in politics or to contribute to any political party, on penalty of forfeiting his position.

The method of proportional representation in elections had been used for years with excellent results in European countries, but was comparatively untried in this country; it guarantees majority and minority representation in the governing body. We patterned our charter largely on that of Cleveland, where the proportional representation method was used, except that we greatly improved on the model by providing for a small council, elected at large, instead of a council of twenty-five elected from four districts; for a person to be elected at large under our charter he would need more than 12,000 votes. We thus avoided objectionable features of the Cleveland charter, which by requiring only 2000 or 3000 votes for election made racial, geographical, religious, and other blocs possible. Cincinnati is, however, a conservative city, and the charter we purposed submitting was regarded as revolutionary or even socialistic by many. To obtain through unpaid circulators of petitions more than 20,000 signatures, the number necessary for submission of an amendment (independent of council action), seemed impossible.

Then fortune favored us, as it has many times

in our struggle. The gang council very unwisely voted to submit to the electors two other charter amendments. The strategy of the boss, which the council rubber-stamped, was that with three amendments submitted, the voters would become confused and divided and all three would fail. This machination infuriated the people. The *Cincinnati Post*, a Scripps-Howard afternoon paper of large circulation, had become our potent ally and has remained such ever since. It helped familiarize the people with what we were trying to accomplish and what our opponents were seeking to prevent, and urged them to sign petitions. The other afternoon paper, the Republican *Times Star*, was especially vehement in denunciation of our proposed amendment to the charter. The people now streamed into places where petitions could be signed, standing in long lines to await their turn, so that by the time for filing far more than enough names had appeared on the petitions to require the charter amendment to be submitted to the voters.

There followed a vigorous campaign for and against the proposed amendment. Our principal argument was the sage observation of Hudibras, "He that is down need fear no fall." We assured the people they had absolutely nothing to lose by a change, because things were at their worst. The amendment was triumphantly voted in November,

1924, roughly 92,000 favoring, and over 41,000 opposed.

The following November, in the first election under the amended charter, an enlarged charter group brought about the election of six of the nine candidates, to take office January 1, 1926. The local Democratic organization had been persuaded not to put up candidates, but it suggested names to the Charter Committee, of whom three were selected and nominated and two were elected.

It now became necessary to select a city manager. Here again luck favored us: Colonel C. O. Sherill had been military aide to three presidents and was then Superintendent of Buildings and Grounds in Washington as well; he had every qualification for the position. An honor graduate of West Point, he had served with acclaim as United States Engineer and as Chief of Staff of the Seventy-seventh Division in the War, and had a broad engineering and administrative experience, besides being accustomed to deal with public officials and citizens and having a most engaging personality. For him to undertake the position required his resignation from the army within one year of when he would have been eligible to a pension with half pay for life. Knowing that the whole affair was experimental and might collapse like a house of cards, I was careful not to try to overper-

suade him; but he welcomed the adventure, and as City Manager was an instant, continuous, and overwhelming success, until he resigned in 1930 to accept an important position in private employment, being succeeded by our present equally skilled administrator, C. A. Dykstra.

The usual gang obstacles were placed across the path of the new administration. Improvident franchises and other contracts were hastily granted and entered into; wages and pensions were increased, effective January 1, 1926, by about \$1,000,000 annually; records disappeared and funds were curtailed. If my predecessor in the Mayor's office had correspondence or data of any kind, there were no traces of them in the files. We did not succeed until the end of 1929 in ridding the city of an organization-appointed Rapid Transit Commission which had sunk \$6,250,000 into a hole in the ground, with the original plan of the subway long since abandoned and incapable of accomplishment, with no tenant and no idea of ultimate cost or termini. The Cincinnati Hospital, which because of insufficient city funds had been operated by the county during 1925 at an expense of approximately \$600,000, was thrown back on the city's hands; a new street railway franchise deprived the city of about \$300,000 of annual revenue from that source; and every effort was made to hamstring the new administra-

tion. But the old administration, which had been skimping city services for supposed lack of resources, apparently did not know funds were available, since at the end of the year 1925 there was some \$600,000 in unappropriated balances which the new administration could use. We persuaded the county to take over the Tuberculosis Sanitarium and the Board of Education to assume the operation of the Boys' Opportunity Farm, and by prudent economies and new sources of revenue operated for the year within our income and without the necessity of submitting an extra levy.

The work of reconstruction got under way at once, gathered momentum in a short time, and proceeded without interruption. In the fall of 1926 a further amendment to the charter was overwhelmingly adopted by the people, permitting the city, within limits, to fix its own tax rate free of county control, and giving it all the powers which a municipal corporation could enjoy under the home rule provisions of the Ohio Constitution.

Often those interested in reform, when they succeed in electing candidates, unfortunately decide their work is ended. In Cincinnati the committee which sponsored the charter enlarged its membership and expanded its activities, so as to induce the best candidates obtainable to stand for office, and then to further their election. The Charter Com-

mittee has a complete city-wide organization of both men and women, extending through the wards and precincts of the city. It also has witnesses and challengers in most of these precincts, and workers at the polls on election day to do the regular chores of politics. Except for some of the office staff, all of its thousands of workers serve without compensation and solely as a high civic duty. In 1927 and again in 1929 six, and in 1931 five, of the nine places in the Council were won by Charter Committee candidates.

Cincinnati has been transformed from a run-down, shabby, despairing, boss-ridden city to a forward-looking, confident, clean, and well-conducted municipal corporation, governed by citizens with expert assistance. The whole attitude of its inhabitants has changed; whereas they formerly voted down all bond submissions, since 1925 there have been approved from year to year by the electors an aggregate of more than \$30,000,000 of bonds for a great variety of projects, and not a single issue submitted has been defeated.

A few only of innumerable improvements, great and small, will be mentioned. When the charter government took hold in January, 1926, a contract for the improvement of Kellogg Avenue, a link in the Atlantic and Pacific Highway, had already been signed. The plans contemplated a thirty-foot

roadway elevated (by filling) and paved with brick. We asked the City Manager for a report on the improvement in that form; he found it to be needless and highly wasteful. He was thereupon instructed by the Council to rescind the contract. The contractor was paid damages of about \$60,000, abutters who had made improvements in reliance on the change of grade were compensated, the roadway was built of concrete, thirty-six feet wide, and the saving to the taxpayers was \$650,000.

An airport of almost a thousand acres, located within twenty minutes of the heart of the city, has been acquired at a cost of about \$350 an acre. This is a saving of about \$500,000, since in other cities the cost has been \$750 or \$1000 an acre. Great new boulevards, sewers, and single and double deck viaducts have been constructed. The Work House, long closed, has been reopened, and is conducted, in connection with the Welfare Department, as a model penal institution where trades are taught and the "idle house" is unknown. An incinerator has been built there to give additional employment to the prisoners, and with additional units of the most modern type has displaced the former offensive method of garbage reduction. Hundreds of thousands of dollars' worth of new equipment of all kinds has been purchased. More street and sewer construction was done in two

years than in ten years preceding. The cost of raw materials going into street-making in 1928 was \$263,000 less than the same materials in kind and amount would have cost in 1925, the last year of the old order. With vastly more highway repair work done and an increase of wages of 7 per cent, the total expenditure was actually \$10,000 less than the gang's cost had been. This was in part because useless foremen who were precinct executives, and whose principal or perhaps only work on the streets was political activity around election time, were dispensed with. A genuine merit system, administered by outstanding citizens, replaced the mockery of so-called civil service examinations which had given permanency to machine appointees and excluded those not favored by organization politicians.

In 1925, an atrocious electric light franchise was granted by the dummy Council to the Gas and Electric Company. A few of us obtained the necessary signatures and prevented by a referendum the taking effect of this grant. A shameless natural gas ordinance was likewise passed by the Council as oppressive as that previously voted, following a telegram from Hynicka. The telegram, which was intercepted and made public, referred to the Gas Company as "our friends," and directed that the franchise be put through as a party measure. The

charter councilmen, after thorough study by the best obtainable expert, were advised that each of these franchises, gas and electric, gave the company \$750,000 a year above a fair return. The electric ordinance was repealed by the Council and a new one passed over the violent protests of the company, which, however, finally accepted the new ordinance, with a resultant saving to consumers each year of about \$750,000. The gas ordinance was defeated at a referendum, but the courts held this ordinance not subject to referendum. However, the study made was utilized, and the Council, upon expiration of the former franchise, passed an ordinance designed to take away the excess earnings for the future on natural gas. The savings to the taxpayers, therefore, in these two items would approximate \$1,500,000 a year, except that the gas ordinance has been fought in the courts and by resort to a dilatory State Utilities Commission.

For all useful activities, — recreation, parks, building inspections, health, welfare, and safety, — appropriations have been increased by hundreds of thousands of dollars. Street signs, almost entirely absent formerly, so that the visitor would wander about like the children of Israel in the desert, appear on every corner, with a saving of approximately \$50,000 from having all street names at a

crossing on one pole instead of four. Frequently, now, one pole serves for light, trolley wires, street signs, and traffic lights, taking the place of wasteful and ugly separate poles for each of these.

All employees, including laborers, are paid by check, and the checks are signed with an electric check signer. The former practice was to pay everyone in cash at the City Treasurer's office in the City Hall, with a great loss in time and with unnecessary inconvenience and expense. Motorized trailer trains carry rubbish used to fill city property, as contrasted with the former slow, expensive, and inefficient horse-drawn vehicles and the filling of hollows for private persons. Where the foundation of roadways is good and the paving reasonably satisfactory but rough, super-heaters are used to spread and seal a smooth asphalt covering, giving the appearance of a new surface, without the expense of taking up and resetting the brick, wood-block, or granite. The economy in this respect runs into hundreds of thousands of dollars, and streets so treated show no signs of disintegration.

A saving in public advertising of approximately \$40,000 a year is made by publishing official notices in a "City Bulletin" issued by the Clerk. Notwithstanding a vastly greater amount of work in his office and that of the Treasurer and Auditor, these

offices operate at a lessened cost of approximately \$65,000 a year.

Most astonishing, with all this great transformation and increase of every useful activity, the city tax rate in 1929 for 1930 purposes (8.86) was lower than it had been for the nine preceding years. The rate in 1930 for 1931 purposes (9.10) was the lowest of any city of over 300,000 population. In spite of the bond authorizations given by the electors, the issuance of bonds has been carefully restrained. On October 31, 1932, the city's non-self-supporting net bonded indebtedness was actually better than \$2,000,000 less than on December 31, 1925, the end of the old-order period. A coördinated spending committee of representatives of the city, school district, and county has studied the tax rate and has established a spending program for five years, so that the total tax rate for all purposes, state, county, schools, and city, usually approximates \$21.50 a year on each thousand dollars of taxable property. With a sinking duplicate and extraordinary demands for unemployment relief, the total levies for 1932 and 1933 purposes are, respectively, \$20.70 and \$21.96.

The results of all this have been extremely good in a business way for Cincinnati. Fire losses have been reduced because of improved morale, new equipment, and good streets, and as a consequence

insurance premiums have come down. The indirect savings in lessened maintenance cost of automobiles, buses, and trucks amount to thousands of dollars each year. Many new and important ventures have been undertaken by outside capital because of the good advertising Cincinnati has received; the amount of building permits had increased splendidly until the period of depression. Barge service on the river, with an important terminal there, has been initiated with the coöperation and helpful assistance of the city administration. The railroads are building a great union passenger station and freight terminals at an expense estimated to exceed \$40,000,000. Here, again, the companies and the city are proceeding as private individuals would, in a spirit of fairness and concession on both sides. These monumental projects would not have been undertaken with conditions as they formerly were.

Leaving out the important moral results of good local government, and its salutary effect upon the national government, there is no doubt that it pays, and that corrupt government is extremely costly and wasteful. Cincinnati is probably the only large American city where a reform movement has succeeded in five successive elections. It appears to be regrettably true that things must be very bad

before they can begin to be good. There is nothing peculiar in the victories gained in Cincinnati which makes them impossible of attainment in other large cities of the country, if citizens there will be resolute, unafraid, moderately self-sacrificing, and united in a determination that right shall prevail.

Lecture II

COUNTY GOVERNMENT—HAMILTON (CINCINNATI) COUNTY

MOORFIELD STOREY, delivering the Godkin Lectures in 1920, quoted Carl Schurz as follows: "If Gabriel draws your charter and Lucifer administers it, your government will be bad. If Lucifer draws your charter and Gabriel is called upon to administer it, your government will be good." I venture to add a corollary to this striking statement. It is: "If Gabriel draws your charter and Lucifer administers it, your government will be better than if Lucifer also draws your charter."

In other words, Pope's "For forms of government let fools contest" is not entirely accurate. Form of government is not decisive, as respects either good or bad local government; but it is important. Cincinnati, and Hamilton County in which it lies, offer interesting evidences of the truth of this assertion. The charter adopted in Cincinnati is an excellent form of government, and has greatly aided in the success achieved. Hamilton County has this country's usual form of county government, the worst possible, decentralized and lacking administrative control, with numerous elective officials

wholly independent of one another. And yet good government obtains there, despite it. Manchester, England, has a council of 140 members. There is a loosely organized system of departmental committees, with the city clerk as the only central administrative head; the system works, because trained and experienced department heads are appointed.

It has been estimated that government of all kinds costs from ten to thirteen billion dollars a year in America. Local government, as distinguished from state and national government, spends more than 50 per cent of the sum, whatever it is. In 1930 Ohio state government cost about \$88,000,000, and in 1931 \$79,000,000, but county government for the latter year cost about \$154,000,000 and 110 Ohio cities during 1931 cost more than \$131,000,000. From 1922 to 1932, New York City's budget grew from \$326,000,000 to \$615,000,000. There are at least 140,000 persons on that city's payroll. It is apparent, therefore, that amelioration in form and performance of local government are of real importance to the taxpayer.

Counties, of all political subdivisions, are most in need of modernization. In one county close to New York City a total of 246 subordinate governmental units exist, and one man may find himself blanketed with ten different layers of overlapping

government. In this situation, as recently pointed out nationally by the Scripps-Howard Newspaper Alliance, the problem has been approached from four different directions. The first attempt at solution took the form of state subsidies to counties so poor in taxable resources that they could not meet the costly demands for modern highways and modern education. Three other tendencies are manifesting themselves. The first of these seeks to strengthen county government by concentrating power in the hands of a county manager or other single individual, and giving him new functions taken from lesser governments. The second looks to county-city consolidation, as in St. Louis and Baltimore, or to a merger of counties into districts, to make one set of officials do the work of two and also to increase the amount of taxable resources in a single government unit. The third proceeds on the theory that even county government is too small a unit to function economically and efficiently, and that many of its present duties should be transferred to the state. Experiments in all these types of reform are under way.

North Carolina pioneered in experimenting with the county manager, and at one time adopted the plan widely through the state, but now has abandoned the plan in all save one county, declaring it inadequate both as to efficiency and as to reduc-

tion of taxes. That state has turned definitely to concentration of public affairs in the state government, and virtual, if not literal, abolition of counties. Virginia has recently enacted legislation setting up alternative forms of government which its counties may adopt at will, and one of these is the county-manager plan. Ohio has just filed sufficient petitions containing over 200,000 signatures to require a vote on whether its constitution shall be amended to accomplish a similar result.

Arlington County, Virginia, put the manager plan into effect last January 1, and its experiment is being watched with interest. Montana's legislature has adopted a county-manager enabling act, and movements are under way in ten counties to submit it to popular vote. A California county, San Mateo, too, recently voted favorably on a county-manager charter which will become effective July 1, 1933.

Today, adherents of the county-manager plan urge it as a method of sustaining the principle of home rule against increasing willingness to let the state have a deciding voice in local affairs.

Hamilton County has thirteen townships of 1400 to 21,000 population, each having three township trustees, a township clerk, and two justices of the peace, and seventy-eight petty local officials whose principal usefulness is as cogs in the

local political machine; besides these officials in unincorporated territory, there are numerous mayors and other large and small town officials. Ohio has more than 1300 townships, which spend more than \$10,000,000.

Cuyahoga County (Cleveland) has 103 separate taxing units, Hamilton County 106, and Cook County (Chicago) 400. As stated in the Bulletin of the Citizens League of Cleveland:

The present form of county government in Ohio was established in the state constitution more than 100 years ago for an agricultural people to meet political and social conditions entirely different from those of today. It has continued practically unchanged to the present time, although the state has increased in population in that time from less than 60,000 to over 6,000,000, and has grown from a strictly agricultural territory to a great industrial and commercial state ranking fourth in the country.

The counties have been unexplored territory for political investigators in the field of government. They were dubbed a long time ago "the Dark Continent of American politics." The bulletin just quoted contains a characterization by President-elect Roosevelt, as follows:

We have a system of county government whose general form and structure is no more fit for its purpose than an ox cart would be for the task of supplying modern transportation between New York and Chicago.

I am not alone in this belief; because it has been said over and over by every authority on political science and every open-minded investigator of public affairs over a period of many years. Other states are hampered and harassed in the conduct of their affairs of government by the same or similar archaic, expensive and wasteful forms of local government.

A recent legislative commission in Virginia concluded:

There is a growing dissatisfaction with the present order of county government. . . . The county is correctly regarded as the weakest point in our governmental structure. . . . Instead of a single government for counties, there is a multiple government composed of many separate and independent parts with no one to coördinate the various parts into a single operating unit.

The New Jersey Commission on Taxation and Local Expenditures in its final report to the legislature in 1931 said:

Government is more and more taking on the features of a large scale business enterprise. . . . Old forms of government have proved inadequate . . . governmental machinery has broken down. . . . The cities and the states have already taken stock of this situation and are rapidly recasting their governmental organizations to meet the new conditions. . . . The counties, however, have continued for the most part unmoved and occupy substantially the same position they occupied a generation ago.

The Ohio Joint Legislative Committee on Economy and Taxation said in 1926 in its final report:

County government is antiquated and planless. . . . It violates almost every principle of business and governmental organization which experience has evolved. It is the product of a century of slow, but largely hit and miss development.

Despite all these defects in the form of county government, resolute insistence upon good government in county offices has brought about results in Hamilton County no less remarkable than those in Cincinnati.

Cincinnati and Hamilton County are predominantly Republican. The county is overwhelmingly so, and until 1926 the Republican machine for more than forty years elected all county officers save in a very few instances one or two. In the summer of 1926 certain independent Republicans, inspired by what had occurred in Cincinnati and realizing that the city government there was hampered by the hostile county gang in the Court House, undertook to nominate Citizen candidates for county officers at the Republican primaries. They succeeded, after a spirited contest in the primary election, in nominating men of a high type, who were subsequently elected as Republicans at the regular November county election.

In 1928, however, in a presidential year and with

the primaries coming again in August, many Citizen adherents were absent on vacation or not so easily aroused as they had been in 1926, by vicious attacks then made on the city administration; as a result, the Citizen group were defeated in their attempted nominations for all county offices except that of Treasurer. Thereupon they concluded that the odds against them were too great for any reasonable chance of success in a primary contest, and made in the county about the same kind of combination with the local Democratic organization as had been made in the city. In 1930 the Citizens, as the fusion calls itself, elected all of its candidates for the seven county offices voted on.

In November, 1932, the Citizens achieved a really remarkable accomplishment, electing six of their nine candidates in a presidential year, when a great deal of education and "arousement" is required to enlist popular interest in a local county election. The Ohio form of ballot is deliberately designed to prevent such interest, and to carry all officers, federal, state, and county, by a single cross in the circle under the bird of the national party. An effort made before the Board of Elections and the courts to keep the Citizens candidates entirely off the ballot failed. But in 1930 the Supreme Court of Ohio had ruled that under the Ohio election law only the two regularly organized parties,

the Republican and Democratic, were entitled to the advantage of an emblem and circle. So, as the ballot was printed in 1932, with separate columns for the Socialist and other party candidates, the Citizens were shunted into the seventh or last column of a long ballot down in the right-hand corner. To add to the confusion, just above the names of the two County Commissioners, who headed the Citizens ticket, appeared the legend, "Vote for not more than two." The disadvantage to the Citizens in the form of ballot will be apparent from the copy, here submitted, of the sample ballot used by the Citizens.

To keep the Democrats from nominating county officers and thus splitting the anti-gang vote was a matter of technical difficulty, but it was arranged, except that a Democratic candidate for County Surveyor persisted in appearing in the Democratic column and received 35,000 votes, practically all of which were straight party ballots. This cost the Citizens candidate the election, as his organization Republican opponent was elected by about a ten thousand majority; but the result showed conclusively what would have happened had the Democrats and Citizens each put up a ticket and divided the vote.

Every ignorant and illiterate vote under the eagle counted for the Republican organization



DEMOCRATIC TICKET

For President
FRANKLIN D. ROOSEVELT

For Vice President
JOHN N. GARNER

For Governor
GEORGE WHITE

For Lieutenant Governor
CHARLES SAWYER

For Secretary of State
GEORGE S. MYERS

For Auditor of State
DANIEL K. BUTLER

For Treasurer of State
JOSEPH T. FERGUSON

For Attorney General
HERBERT S. DUFFY

For United States Senator
ROBERT J. BULKLEY

For Congressman at Large
(Vote for not more than two.)
CHARLES V. TRUAX

STEPHEN M. YOUNG

For Representative to Congress
(First District)
EDWARD H. BRINK

For State Senator
(Vote for not more than three.)
WALLACE S. ESPY

FREDERIC W. JOHNSON

EDWARD N. WALDVOGEL

For Representative to the
General Assembly
(Vote for not more than nine.)
MAURICE J. ALLEN

HERBERT BAKER

WM. G. BEATTY

COMMUNIST TICKET

For President
WILLIAM Z. FOSTER

For Vice President
JAMES W. FORD

For Governor
JOHN MARSHALL

For Lieutenant Governor
ROBERT SIVERT

For Secretary of State
MAGGY JONES

For Aud't. of State

For Treasurer of State
FANNY CHEYFETZ

For Attorney General
JOSEPH TESTTEL

For United States Senator
I. O. FORD

For Congressman at Large
(Vote for not more than two.)
JOHN REHMS

WILLIAM HUGHEY

CITIZENS TICKET

county candidates, but no Citizen candidate could be voted for without a cross-mark. It was necessary to create local concern enough to induce persons to vote the county ticket as well as the national, and to overcome the antagonism of Republicans for Democrats and vice-versa, religious and personal objections, the fear of invalidating one's presidential vote by voting the Citizen ticket, the swing to the "outs" as against the "ins," and the conscientious belief of Cincinnati charter friends, who had gone along in the city elections irrespective of their national party affiliation, that a fusion movement in the county would strike at the roots of the national parties.

In addition, the organization levied the usual tribute of campaign contributions on its office-holders, including some judges, employees, and beneficiaries; paid its workers; and used the radio largely to asseverate, contrary to the truth, that the Citizen office-holders had increased expenditures. As a matter of fact, while expenditures had increased in the county, the additions were occasioned by organization offices or causes over which the Citizen incumbents had no control, and in every single Citizen office large savings with greater efficiency had been achieved. But, as Charles James Fox once ironically observed, "an argument repeated twelve times is as good as twelve

arguments," and it seemed unlikely that the Citizens could convince enough voters that the assertions of the organization were untrue.

Moreover, the Citizen Auditor had recently completed (at a saving in cost of \$50,000 as compared with his organization predecessor) an accurate and sound reappraisal and equalization of the real estate in the county. Much favoritism and undervaluation had existed previously, especially in the downtown business section and in outlying districts of the county which had been favored by organization officials to enlist their support. These inequalities were wiped out, and large additions to values in numerous instances naturally resulted. But a politically-minded State Tax Commission twice, the second time just before election, cut 10 per cent from land and buildings in addition to the Auditor's voluntary cut of 10 per cent because of bad conditions; these reductions also afforded opportunity for unscrupulous orators of the organization to inveigh against the Auditor and the whole Citizen group, and to assert, without the slightest foundation in fact, that valuations had been raised deliberately as a means of permitting the spending of more money.

It was also part of the machine's strategy to drag into the campaign the matter of unemployment relief. This work had been so well done by

Cincinnati's Director of Public Welfare, who is also employed in a similar capacity by the county, as to attract national attention. This official is a man of the highest type, one of the numerous members of the Cincinnati Association who since its inception have creditably filled local public office, and his administration of this important work, which now involves the expenditure of \$350,000 a month, had, of course, been conducted without any political influence. In order to economize and to ensure the best results, he had adopted a system of wholesale buying and distribution from central warehouses in kind, with well-balanced diets, abandoning the plan first tried of giving orders redeemable at any grocery. Experience showed that these orders had not been properly used, and that by connivance of unscrupulous grocers holders of them were receiving malt extract, cigarettes, candy, and even money, with increased want on the part of their families as a result. The Director estimated that not less than \$50,000 a month was saved by the change, but the desperate Republican machine capitalized the dissatisfaction of large numbers of retail grocers, whose business appeared to be affected, and had their candidates for County Commissioner declare that if elected they would revert to the former method of relief distribution. Members of the Republican organization govern-

ing committee on the Advisory Unemployment Relief Committee set up by the Director of Welfare and the County Commissioners, substantial citizens with college education, wealth, and position, knew perfectly well the serious consequences and enormous waste of public funds incident to such suggested change, but they made no objection to this inflammatory and highly dangerous campaign argument. They evidently were of the opinion that it was more important to win a county election for the machine than to have the welfare or even safety of their community preserved.

The machine orators animadverted unfavorably on the Citizens for their alliance with the Democrats. They insisted that the Republicans in the Citizen group were renegades, were jeopardizing the chances of success of the Republican party, and were in effect trading the office of the President of the United States for that of Coroner of Hamilton County. Nevertheless, as before stated, these handicaps were overcome and six of the nine Citizen officers were elected, by more than 100,000 persons marking a cross against each name.

Over four-fifths of the inhabitants of the county reside in Cincinnati, and it was only the back-log of thousands of straight ballots in the ignorant and criminal sections of the city that made election of any of the organization candidates possible. One of

their three successes will be a County Commissioner, but the Citizens will have two, a majority of the Board, the first time in fifty years that the organization has lost control of it. On January 1, 1933, eight of eleven county officers will be Citizens, unless the recount asked by the defeated candidate for Clerk of Courts unseats his opponent.¹

An interesting comparison of Citizen and politician administration of the same office is at hand from three inexpugnable sources, two of them official. The Auditor of the State of Ohio publishes each year a report of the salaries paid and fees earned in county offices in each county of the state. Each County Auditor is required by statute to make and publish in the daily press, after approval as to form by a judge of the Common Pleas Court, a detailed statement of receipts and expenditures, showing comparisons with former years, of each county office and department. The Ohio Institute, at Columbus, Ohio, an impartial research association of a high order, published in April, 1932, a comprehensive study entitled "County Organization and Government in Ohio," including tables of personnel of certain county offices and of population per year-round employee.

From all these authentic sources the following

¹ Since this lecture was delivered, the recount has been completed: the Citizen Clerk was declared elected, but by less than 500 majority.

conclusion is to be drawn: Hamilton County offices, administered by Citizens, have shown a surprising decrease in expense, with more efficient service to the taxpayer, and are the lowest in comparative cost of any county of the state. On the other hand, offices administered by Republican organization office-holders have shown a constantly increasing cost, and are substantially the highest in the state, and much more extravagant even than those in other politically controlled counties including large cities, such as Cuyahoga and Lucas. These differences in the same offices run into hundreds of thousands of dollars.

The following statistics present in round figures a comparison of offices controlled by the Citizens (Group A) and offices not so controlled (Group B) for the year 1927 or 1928, when these offices were manned by organization men, and 1931, the last year for which figures are available, when some of the offices were filled by Citizens.

If 1932 figures could be supplied the saving would appear even more remarkable, and the 1933 appropriations on the basis of requests already made will show a further reduction of several hundred thousands of dollars.

GROUP A

Office	1927 or 1928 (Organization)	1931 (Citizen)	Saving
Auditor	\$160,000	\$146,000	\$14,000
Treasurer	92,000	76,000	16,000
Recorder	91,000	55,000	36,000
Sheriff and Jail	216,000 ¹	183,000	33,000
Appraising real estate	308,000 ²	258,000	50,000
Total saving			\$149,000

¹ 1930 figure.² 1924 and 1925 figures.

GROUP B

Office	1927 or 1928	1931	Increase
County Commissioners (majority organization)	\$46,000	\$55,000	\$9,000
Clerk of Courts	110,000	114,000	4,000
Surveyor (office supplies and personnel)	165,000 (\$199,000 in 1930)	185,000	20,000
Maintenance of Court House, Memorial Hall, and Armory ...	242,000	270,000	28,000
Miscellaneous	37,000	53,000	16,000
Total increase			\$77,000

The last official printed report of the Auditor of State, that for 1930, shows that offices conducted by Citizen Treasurer and Recorder are more economical than the corresponding ones of Cuyahoga County, and that organization Clerk of Courts and

Sheriff (in the last year when the Sheriff was organization-elected) are more costly in comparison with Cuyahoga County. It is as follows:

Office	County	Total Salaries	Total Fees Earned	Difference
Treasurer	Cuyahoga	\$282,000	\$108,000	\$174,000
Treasurer	Hamilton	63,000	64,000	<u>— 1,000</u>
Advantage to Hamilton County over Cuyahoga County				\$175,000
Clerk of Courts	Cuyahoga	220,000	259,000	— 39,000
Clerk of Courts	Hamilton	105,000	96,000	<u>9,000</u>
Disadvantage to Hamilton County as compared with Cuyahoga County				\$48,000
Recorder	Cuyahoga	156,000	140,000	16,000
Recorder	Hamilton	47,000	65,000	<u>— 18,000</u>
Advantage to Hamilton County over Cuyahoga County				\$34,000
Sheriff	Cuyahoga	215,000	187,000	28,000
Sheriff	Hamilton	126,000	43,000	<u>83,000</u>
Disadvantage to Hamilton County as compared with Cuyahoga County				\$55,000
Total advantage to Hamilton County in above Citizen offices as compared with Cuyahoga County				\$209,000
Total disadvantage to Hamilton County as compared with Cuyahoga County in organization-controlled offices ..				\$103,000

Comparisons of tax rates in different communities are, it is true, often extremely difficult and unsatisfactory, because they require meticulous analysis and explanation that cannot be made without patience and knowledge of conditions.

They must be adjusted on the basis of comparative valuations, tax collections and other revenue, services rendered, topography, climate, area, and density of population served. Cincinnati, for example, is hilly and covers seventy-two square miles, a very large area for its population of 450,000. The cost of lighting, garbage and refuse collection, sewers, and highways is necessarily greater than in a city like Cleveland, which is flat, thickly populated, and in a smaller area. Cincinnati contributes a large sum to a municipal university, and has just taken over its Zoölogical Garden, heretofore privately owned. It does not, however, contribute, except in the form of land, to its Art Museum, as many cities do to theirs. Some municipalities have heavier expenses in the winter season, operate large municipal auditoriums, utilities profitable or unprofitable, stadia, subways, docks, and public halls. Other variations could be enumerated, but these suffice to show that comparisons of tax rates or per capita expenditures are necessarily inconclusive. The figures just given, nevertheless, furnish indisputable proof that the way to reduce taxes, without impairing service, and indeed to improve it, is for the citizen to take control of his government and to operate it in his own interest rather than as the prize of politicians.

Specifically, how were these results obtained?

The matter is well summarized in a report of the Secretary of the Citizens League of Cleveland, published in January, 1932, after a trip to Cincinnati to check up on Hamilton County's complete about-face. He says:

Not many years ago Cuyahoga county and the city of Cleveland set the pace for governmental reforms in Ohio. Friends of good government in Hamilton County came to Cleveland for inspiration and new ideas. The situation is now completely reversed and Hamilton County is setting the pace in county government, and Cincinnati in city government, for the counties and cities of the state.

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Along with this clean sweep of the machine has come a general spirit of reorganization, a reduction in personnel, the installation of modern methods and equipment, the speeding up of services, and significant reductions in the cost of county government.

The Hamilton County Commissioners are making use of their budget authority to introduce many economies. They have had a detailed survey made of the county civil service. The Bureau of Research has made a complete new classification of positions in the service and has prepared an equitable salary schedule for all county officers. Unlike Cuyahoga County Commissioners, they have accepted the new budget law in letter and spirit, and have adopted modern budget procedure. Hamilton County's appropriation resolution for 1932 was enacted by the Commissioners on December 31st with a 10 per cent cut for all county offices, and every office started

the new year knowing just how much they would have to spend. What is more, they started out with a balanced budget.

Cuyahoga County Commissioners haven't yet even the rough draft of the appropriation resolution for 1932 before them, and will have to make emergency appropriations for the first months as was done last year. Instead of vigorously asserting their authority under the budget law, Cuyahoga County Commissioners are timidly appealing to elective county officers to agree to take a 10 per cent cut in the salary list, knowing that a much more drastic cut is necessary to balance the budget.

The Hamilton County Auditor, working in close harmony with the County Treasurer, has installed a complete new system of recording property values for taxing purposes, has consolidated the functions of making up the tax duplicate and preparing the tax bills, and on January 18 the new tax bills were mailed to every taxpayer in Hamilton County, and payments began to come in on January 20. Hamilton County's new billing and addressograph system enables tax bills to be run off at the rate of 25,000 per day with only a few machine operators employed. Cuyahoga County's treasurer still uses the old long-hand system by which he takes care of "the boys" as seasonal employees.

The Hamilton County Treasurer collected all but 4.8 per cent of the current year's (1931) taxes levied on real estate, and all but 1.2 per cent of the personal property taxes levied for the year. The total accumulated tax delinquencies, both real and personal, in Hamilton County amounted to only \$1,142,812.07. Cuyahoga County had \$22,000,000 in delinquencies at the begin-

ning of 1931; and the added delinquencies for the year will boost the total to more than \$30,000,000.

The close coöperation of the County Treasurer's and Prosecutor's offices in Hamilton County and the vigorous prosecution of delinquencies in personal taxes have trained the taxpayers to pay their taxes to avoid the penalties. The failure of Cuyahoga County treasurers for many years past to enforce the law or to coöperate effectively with the prosecutor in collecting tax delinquencies has taught Cuyahoga taxpayers not to fear the penalties of the law and to neglect the payment of taxes, especially personal property taxes, or to delay payment — a practice which has resulted in the loss of millions of dollars to the county and placed heavy additional burdens on the prompt and willing taxpayers.

The Hamilton County Treasurer operates his office with 14 regular employees and 12 to 20 seasonal employees at collection time. The Treasurer of Cuyahoga County has 85 regular employees and 26 to 50 seasonal employees. The following table tells the story:

County	No. of Regular Employees	Salary List 1931	Total Expenditure 1931	Per Capita Expenditure
Hamilton	14	\$57,450.25	\$66,635.01	11 cents
Cuyahoga	85	295,397.92	323,765.00	27 cents

The per capita cost for operating such a function as a tax-billing and tax-collecting office should decrease as the number of tax bills increase; but not so in Cuyahoga County. The per capita cost in Cuyahoga County in 1931 was more than double the cost in Hamilton County. If the treasurer of Cuyahoga County had operated his office at the same per capita cost as did the treasurer of Hamilton County, then the cost to the tax-

payers in Cuyahoga County would have been \$132,160 instead of \$323,765.

Comparisons between the efficient and economical administration of the Recorder's office in Hamilton County and the Recorder's office in Cuyahoga County show:

County	Number of Em- ployees	Salary List	Total Number of Documents Recorded	Total Operating Costs
Hamilton	17	\$38,403	110,477	\$55,900
Cuyahoga	67	147,435	278,306	161,545

If the Recorder in Cuyahoga County had operated his office in 1931 with the same degree of economy and efficiency as did the Recorder of Hamilton County, the taxpayers of Cuyahoga County, on the basis of total documents recorded, would have been saved at least \$50,000. . . .

The same spirit of economy prevails in the Sheriff's office in Hamilton County — a marked contrast with the disorganized conditions in the Sheriff's office in Cuyahoga County. The Hamilton County Sheriff is feeding prisoners in the county jail at an average of 18 cents per prisoner per day. The Sheriff in Cuyahoga County spent in 1931 an average of 36 cents per prisoner per day. If he had fed prisoners as economically as did the Sheriff of Hamilton County, the taxpayers of Cuyahoga could have given \$23,000 more to the feeding of the hungry and unemployed.

The Hamilton County Sheriff has 70 employees on his payroll, of which number 25 are county patrolmen who police the county roads at all hours of the night. Cuyahoga County has no such patrol. Included in the list of Sheriff's employees in Hamilton County are four truck

checkers and four motor-cycle police who are on the road most of the time. So that on a functional comparative basis Hamilton County has 45 employees in the Sheriff's office as contrasted with 139 in our office. The total cost of operating the Sheriff's offices in the two counties, not including feeding of prisoners, is indicated in the following:

County	Total Employees	Total Expenditure
Hamilton	45	\$182,250
Cuyahoga	139	372,331

If our Sheriff handled his office as economically, on a per capita basis, as does the Sheriff in Hamilton County, including even a 25 cents per day cost for feeding prisoners, the taxpayers of Cuyahoga County would have been spared approximately \$90,000 in public expenditures.

In Ohio, tax bills are semi-annual. Assessments levied by townships, cities, and villages, of which there were in Hamilton County about 700 in one year, are certified to the County Auditor and are billed with the general taxes. The tremendous number of improvements in the past few years made the handling of these special assessments a vital problem.

Formerly three copies of tax rolls, showing the property owner, address, and description of property, were written on typewriters. The amounts of taxes and special assessments were inserted by hand and totalled on adding machines. A dupli-

cate copy of these tax rolls was passed to the Treasurer, who prepared bills on billing typewriters, by copying the information from the tax rolls to the tax bills. The work reached such a peak load that it was impossible to complete it by the statutory date. An additional problem was the distribution of taxes, after the completion of the tax-collection period, by taxing divisions and special-assessment projects, which was performed manually.

Upon request of the County Auditor and the County Treasurer a thorough study was made by the Bureau of Governmental Research, an independent, non-partisan, privately sustained fact-finding organization of the various steps of procedure, and its recommendations were made and carried out. These include the use of modern mechanical equipment capable of doing the work with a minimum of personnel and expense.

A mechanical addressing system in place of typewriters, giving a full list of property owners and descriptions, has been installed. This permits a complete method for preparing tax rolls, tax bills, field rolls, and assessment notices, or the like. The plates are revised daily in accordance with property transfers and changes so as to be accurate at all times.

The former procedure in the Auditor's office required a large personnel. The mechanical installa-

tion provides for only two classes of devices, of such nature that the same persons operating the addressing division can be trained to operate the tabulating machine division. This gives flexibility to the personnel so as to provide for a year-round program, and only fourteen employees are required. This skeleton organization, while performing the functions of the Auditor's office, is available for the Treasurer's office during the tax-collection period.

This installation has resulted in a substantial reduction in the cost of operation of these two offices. Of equal importance, however, is the assurance that tax bills will be received by taxpayers promptly on the morning of the beginning of the tax-collection period.

Formerly the Treasurer's and Auditor's offices were completely separated, but now they act together: the same machine makes both the tax list of the Auditor and the tax bill of the Treasurer. This not only eliminates a great amount of duplicated clerical work, but avoids the necessity of comparing the bills with the list to discover errors in copying. Hamilton is the only Ohio county in which such a machine system has been installed, and it has cut the combined cost of the Treasurer's and Auditor's offices handling tax list and tax settlement work by about \$30,000 a year.

This combination of offices also permits a much

more efficient use of employees. In the past, the Treasurer's force had little to do during several months of the year. For the most part, the rush periods in the Auditor's office precede or follow those in the Treasurer's office. The consolidation of the two, therefore, largely eliminates the most glaring waste of personnel to be found in county court-houses.

So, too, the clerical work of the Sheriff's office for the most part duplicates work done by the Clerk of Courts, and large savings can therefore be realized from coöperation between the two offices. In like manner the Coroner's investigation of suspicious deaths often duplicates and obstructs investigations made by the Prosecuting Attorney, so that very great advantages are obtained from harmonious operation of these two offices.

The Republican organization used to treat the Court House and City Hall as its property. At election time elevators were plastered with cards of the machine candidates, and opposition cards, if placed by the temerarious, disappeared after one trip. On election day these buildings were practically deserted, because most of the employees were ward and precinct executives and had to be at the polls or doing political work all day — and indeed for days and weeks before election. The merit system did not exist; it was evaded by the specious

pretext of calling numerous employees deputies, no matter how ministerial their work. A small ring of favored contractors had virtually all of the public contracts. A certain attorney received pay for his services on the unusual basis of half a cent a gallon for tar and a cent a yard for crushed stone going into county roads. Newspaper editors testified in one of the legislative investigations before referred to that they paid the Sheriff one-third of the fees received by them for public advertising in foreclosure and partition cases. The Sheriff was made a per diem allowance greatly in excess of cost for prisoners fed by him in the County Jail, and no accounting was given or asked respecting the excess. Other examples of looting the public treasury could be extended indefinitely.

None of these conditions exists now in Citizen offices. A complete merit system is being installed as fast as possible. The Citizen office-holders did not indiscriminately discharge all employees who had opposed their election; they realized that the men were not to blame for the system, and in numerous instances retained efficient employees, exacting only the promise that they would refrain from partisan activity, surrender their machine positions, and do their work loyally and impartially. Many were glad to do this, and justified the faith reposed in them.

The benefits of the movement are reflected in the county tax rate, which in its general trends clearly shows the effects of good county government. Thus, in 1924, for 1925 purposes, it was \$3.65 a thousand; in 1925, for 1926 purposes, with an increase in the tax duplicate of over \$100,000,000 incident to a partial revaluation, it rose to \$4.75; and in 1927, for 1928 purposes, with a still larger duplicate, it reached \$6.04. In 1930, for 1931 purposes, with another duplicate increase of \$89,000,000, it was still \$4.65. All these rates obtained while the organization was largely in control of the Court House. The savings in Citizen offices were more than offset by wastefulness in organization offices. But with the advent of more Citizen office-holders the county rate in 1931, for 1932 purposes, with a shrinking duplicate, dropped to \$3.34. In 1932, for 1933, with a still further decrease in the duplicate of \$100,000,000, the rate was \$2.87, by far the lowest it has been for the last fourteen years.

An interesting experiment in purchasing is under way: not only is there a central purchasing agent for the county, but a coördinated purchasing group has been established with representatives of the city, schools, and county. Standard specifications are adopted and requirements for the three agencies are purchased simultaneously. The resultant savings have been enormous. The cost of coal alone

has been reduced \$100,000; although part of this saving is due to prevailing low prices, a substantial portion is due to larger-scale buying.

The possibilities of other material economies in county government are very numerous. If summonses were served by mail instead of as now by deputies, a heavy item of expense could be greatly curtailed. Cleveland has a large foreign population, but service by mail is utilized there in the Municipal Court with very satisfactory results. If a Voluntary Defender Department were set up instead of having the judges assign the defense of indigent criminals to favored attorneys, another good decrease in expense could be effected. Each judge is supposed to appoint, but actually has assigned to him by the political organization, a bailiff, whose principal duties, aside from acting as campaign manager of the judge, are, at a salary of \$2600 a year, to open and adjourn court and to have charge of the jury. Likewise, there is a messenger attached to each court room; the clerk in the room could readily perform the duties of the bailiff, and a few messengers, as in the case of large law offices, would then serve every necessity.

Our people must interest themselves in reasonable economies, of which the foregoing are but a few instances, and the result will be that without curtailment of necessary services taxes will come

down. Cincinnati and Hamilton County Charter and Citizen movements for good government have prevailed in eight of the last nine annual elections, and from their successes, moral results aside, the people have derived benefits and savings amounting to millions of dollars.

Lecture III

HINDRANCES TO GOOD LOCAL GOVERNMENT

THE obstacles to good government in our cities and counties are grievous, and in many localities appear, even to those fairly desirous of obtaining better administration, insurmountable. The picture is gloomy, sordid, and discouraging, and I wish we might overlook it and turn at once to the reverse side of the medal, the helps and encouragements to progress. But if we are to advance we must appraise some of the principal causes of our national degradation, and inquire which are, in truth, ills that we must bear. We should adopt something of the attitude of General Goethals, when building the Panama Canal: his subordinates would outline to him engineering difficulties, showing in great detail why a certain thing could not be accomplished, and he would reply, "All right! Now that you have given me the reasons why it cannot be done, go and do it."

First, let us inquire whether the foreign-born and Negro elements, where they predominate, are insuperable deterrents. Many well-intentioned persons will tell you that, whatever may have been

accomplished in other communities, their local situation is, because of these factors, hopeless. But the truth is, bad government has existed where these influences have been absent, and good government has eventuated notwithstanding their presence. With better than 85 per cent of our people native-born (one of the largest city percentages in the country) Cincinnati was yet afflicted for almost half a century with government of the most depraved and rapacious character. The same was true of Minneapolis. Cleveland had and has almost as large a percentage of foreign-born as Cincinnati has native-born, and yet for some of the time Cincinnati was suffering from inferior administration, Cleveland was enjoying, under Tom Johnson, the boon of excellent city government; and, in part of the period of Cincinnati's good government, Cleveland relapsed into bad. Let us not forget, either, how William Travers Jerome, almost single-handed and with no organization, defeated the most powerful political organization in the world in his combat for the prosecutor's office in New York, and how successfully he appealed to the foreign-born in the cause of right and decency. This element of the population, if neglected, becomes an easy prey for the politician, but the opportunity of winning it to high ideals of citizenship is neither visionary nor hopeless.

Cincinnati has a large Negro population, of whom many, ignorant and vicious, owing to the city's geographical position, have come from the South. For years Cincinnati's aspirations for decent government were throttled by the use of the colored vote under the eagle, accomplished by the politicians partly through capitalizing the ignorance of the Negro, but more by a system of protecting them with the police and judges. There are 12,000 Negro arrests a year in Cincinnati. This is not to say that about one in every four Negroes is a criminal character; there are some who are apprehended half a dozen times a year. For these the politician arranges bond and intercedes with prosecutors and judges. The decent Negroes are the worst sufferers from these ruffians, who time and again are turned loose on the community after dismissal, or wholly inadequate punishment. The grossest election frauds have been practiced for years in the Negro wards, and this solid colored vote, legal and illegal, has been enough in many elections to carry the day for the machine. And yet, as before stated, this race obstacle, which presents itself in very much the same way in other cities, has been so far overcome in Cincinnati as to permit expressions of the will of the better citizens. There are numerous self-respecting, property owning Negroes who are not content that their race

shall be basely exploited by the politicians, and who are no longer willing to make their cross-mark without question. Patient efforts in the Negro quarters have met with encouraging results, and it is not mere prancing optimism to hope that in time the same valid appeals that are made successfully to others will meet there a larger response.

The next great hindrance we must consider is the American party system and its interdependence with local gangs. This is a difficulty least recognized by the casual observer. He will say to you, or at least did a few years ago, before failure of prohibition enforcement caused lessened respect for the federal government, "Well, we know our local government is bad, but the federal government is something different." He is doubtless unaware that the scandals incident to the non-enforcement of the liquor laws are substantially due to officials in the department having been initially recruited, upon recommendation of local political gangs, from their corrupt adherents.

Local gangs are the foundations on which the national party structure is erected, and for the most part the national government deals only with them in local affairs, maintains them through patronage, and has no contacts at all with the independent citizen. The appointing power is only nominally with the heads of government; in most

instances the local machine controls appointments, which naturally fall to persons owing it intense loyalty and rendering it vigorous service. The Marshal and his deputies, the District Attorney, the Custodian of the Federal Building, the Collector of Internal Revenue, the Postmaster (even without such minatory admonitions as were thought necessary by high Post Office officials before the recent Presidential election), the Prohibition Enforcement Officer, the head of the local Veterans' Relief bureau and his assistants, and numerous minor employees in all these departments, know who is responsible for their appointment and what is expected of them. Even federal judges, in their appointments of United States Commissioners, referees in bankruptcy (who in turn name organization appraisers), law librarians, auctioneers, government doctors, and others, have not hesitated on occasion to accept without question recommendations of the machine. Communication with Washington is easier, and often appears to be more productive of results, through the conduit of the local machine or through officials owing their appointment to it.

As an instance of the extent to which the Post Office Department is in politics, a year or so ago a special delivery boy informed me he had been off duty for sickness, and having again presented him-

self for work was told he could not regain his position without a letter of recommendation from the local Republican boss; this the Postmaster did not deny. Because of the last national election sixty-seven Ohio Republican first-class postmasters, with salaries of \$3200 to \$9000 a year, and several hundred second- and third-class postmasters with salaries of \$1100 to \$2300, will be thrown out of office, and President-elect Roosevelt will be called upon to appoint their successors. In the United States as a whole, about 15,650 postmasters (first, second, and third class), with annual salaries of over \$32,000,000, will be similarly supplanted.

It is not true, then, that the federal government is wholly independent of local machines. Congressmen and senators are often selected by them. Except in rare instances they cannot hope to attain their positions, or continue to hold them, except with the active assistance of the local machine, and correspondingly they heed more than they should requests or suggestions coming from it. Senatorial courtesy, so called, is a euphemistic expression, and means that appointments in a state are customarily dictated by the senator, who in turn has had them suggested to him in a persuasive way by the local machine. In the end, the boss practically makes the appointments; the ridiculous condition results that if a community, though principally of

the same national party as the predominating local gang, shows independence and obtains good city or county government, it is actually better off, and citizen government is more likely to persist if the national government is of opposite politics from the local ring; for in that event there is more chance that the ranks of enemies of good local government will not be strengthened by the power of federal patronage.

So far as concerns the federal government, the independent group of citizens is a complete outsider and receives only obstruction where it should look for succor. The same thing is true, of course, of the state government, and to an even greater degree. The state highway department, for example, is a feeder of patronage to the local machine. The Secretary of State of Ohio empowers some 500 persons and clubs to handle in their several communities the issuance of automobile licenses. Who can give better advice and help in selecting them than the local machine? Because the contacts with the state government are close, deference to the local machine can be more easily compelled by boss control of the legislative delegation whose good will is essential to the plans and policies of the state administration.

For all these reasons, the independent voter is cold to wearisome iterations of the necessity of

parties and of the value of party responsibility, and bad local government correspondingly reacts in national elections against the interest of the party. Tammany Hall is not good for the Democratic party, and the Maschke, Vare, and Thompson organizations do not help the Republican party. As Judge Israel Durham, a corrupt Philadelphia boss who gained power largely by unjustly favoring Negro criminals, frankly remarked, "What do I care who is President, so long as I can carry my ward?" Although these predatory bands are termed "local," they are not so in reality, and their baneful influence, like the ripple of slag dropped in water, spreads over the whole surface of our national politics.

The bosses habitually run with the hares and ride with the hounds. Their understandings with bootleggers and operators of speakeasies, achieved by exercising a soothing influence for an adequate consideration on police and enforcement officials, have been friendly and close, but now, like zebras which can be black with the black horses and white with the white, they are loud in their insistence upon personal liberty and the end of prohibition, though in no event, they say, accompanied by return of the saloon. Yet it was formerly from the saloon and dive that the local machine activities radiated; Boss Cox got his start as keeper of a

saloon of such desperate character that it was known as "Dead Man's Corner." If the saloon should return, the ward captain would be its best friend.

The late Senator Beveridge, who was experienced in the ways of party politics, once indignantly exclaimed, "The battle is not so much between political parties, as such, as between the rights of the people and the powers of pillage," and added:

A political party is not a group of politicians, each with his following, combining to win the spoils of place and power. Such an organization is not a party — it is a band of brigands; and its appeals in the name of the party are mere attempts to beguile and defraud the voter for its selfish purposes. Such organizations and men are the tools and agents of lawless interests which know no party, attempt to use all parties, and practice only the politics of profit.

There are those who assert that these local patronage bands are essential for the preservation of the national parties. England furnishes the refutation of that assertion: local officials are, it is true, there elected on national party lines, but patronage, as it exists in this country, is unknown. We do not need Hessians to induce the citizen to vote in national elections, and if the national party system really depends for its maintenance on these local mercenaries, we can afford

better to sacrifice the national party system than the community.

The most serious result of this interdependence of national, state, and local machine government is the impressment of the young man of promise in the pirate crew. If he is desirous, in a perfectly honorable way, of holding state or national office, it is almost inevitable that he will cast his lot with the local oligarchy, no matter how base its aims or distasteful its methods. Hence, those best fitted by position and education to have a useful part in the political life of their community are torn from their natural affiliation and become callous, determined, and puissant enemies of citizen-controlled local government.

A third obstruction, the inferiority of the press and of other means of communicating information, dams the flow of fact and prevents the spread of better government. This is not new or indigenous to only one soil. When Dr. Johnson was complimented upon his impartiality in reporting the debates in Parliament, he conceded he did it pretty well, "but he took care that the Whig dogs should not have the best of it." Sir Robert Walpole once observed:

I have read some reports of debates in this House where I have been made to speak the reverse of what I meant. Others where all the wit, learning and argument

have been thrown on one side and on the other nothing but what was low, mean and ridiculous, and yet on division went against the side having apparent right. If not knowing what happened, I should have thought this the most contemptible Assembly.

President Madison said, "A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy."

In essence, the press should fulfil a great public function, serving impartially the noble cause of enlightenment. But it is a purely private enterprise purporting to serve a public purpose. The owner of a newspaper may not be wise or even honest; he may have a controlling interest in local utilities, and can easily trade the influence of his columns for oppressive franchises or unwarranted tax exemption or reduction to them or him or his paper. As a City Hall reporter once expressed it, "Our paper preaches the highest morality and practices the lowest. If the old man gets a cinder in his eye, I am expected to write an editorial on smoke abatement."

The easiest way is to favor the local machine. Profitable public advertising is obtainable, and the largest private advertisers may, as likely as not, be receiving illicit favors from the organization, be its "respectable" adherents, and require as a condition of placing their advertising a friendly attitude

towards the dominant gang. When things were at their worst in New York under the Tweed ring, William Cullen Bryant, then editor of the *New York Evening Post*, bade a courageous city editor wrap

... the drapery of his couch
About him and lie down to pleasant dreams,

because he had printed some part of the truth regarding the jackals preying on the city. The publisher of any great paper, and the City Hall and Court House reporters, charged with the solemn duty of fairly portraying facts to hundreds of thousands as the latter's only means of ascertaining what is happening and the true character of their public officials, should preserve as absolute an impartiality as a judge, and indignantly spurn any offer of favor or reward which might influence independent judgment. Yet frequently the newspaper owner or a member of his family is given some office or privilege of an important character that will change him from denouncer to advocate of the donor; nor does he forbid his reporters to receive less important favors, or to accept employment which prevents them from recounting the facts of government as they occur. Newspaper readers have become accustomed to take their opinions from the editorial columns of their favorite paper,

or to accept the interpretation it presents in headlines, however deceptive, of what is recounted in the news column, even if the facts are there accurately set forth. But more often the news columns yield to editorial policy, and garbled versions of what has taken place, or outright suppression, mislead voters, preventing them from obtaining those accurate recitals on which alone a correct judgment can be founded.

Of course I am generalizing, and there are papers which are consistent friends of good government and whose circulation, fortunately, has increased with their espousal of right causes. But even they are sometimes unfair in their allocation of space to the opposition. By and large, the papers print what they think people should know and suppress what to the editorial, advertising, or circulation department seems anathema. There is no practice more dangerous or more subversive of good government. Besides all this, journals have often displayed such malevolence and vindictiveness, and have given to those who incur their displeasure such grossly unfair treatment, including denial of the privilege of reply, that they sometimes succeed by terrorism in suppressing free discussion of public affairs. "Beware of entering into a quarrel with a newspaper" is a political truism, for the paper has the last word and will get the better of you. If you

leave office and they dislike you, they will publish your resignation under the heading of "Public Improvements."

Some amelioration seems available through the radio, but that, too, is private enterprise with a public function; the speaker must submit his manuscript in advance and run the risk of its being censored or the whole address forbidden. All in all, however, the federal regulations are just, and tend to require opportunity for both sides to be heard.

Some regulation of the press is likewise possible. A simple requirement that the writer of a newspaper leader shall not be an anonym but must sign his name would lessen the magic influence of editorial ponderosities such as "This paper believes," or "We warn the voter," provided the inditer were known to be an unimportant person or one not respected for the sincerity of his opinions; and other slight regulations, not trenching unduly on freedom of the press, might profitably be utilized. Yet even if newspapers were classified and governed as public utilities, those who would regulate them would not necessarily be intelligent or even in some instances, if one may judge by certain state commissions, honorable. If the personnel of the commission, which would supervise them should, as in other appointments, be dictated by the political machines, you have advanced the cause of truth not at all,

and an indignant, modern Milton will needs write a new *Areopagitica*.

Another in this gloomy array of evil spirits that hover menacingly over the civic warrior is the illicit privilege which local gangs have it in their power to bestow. Privileges may be great or insignificant, but the recipient appears to be securely held to the grantor irrespective of the value of what he has received. It almost makes one give up in despair to observe the number of persons who will actively support a political machine of the basest kind because they can have a traffic tag torn up or disposed of by favor. When many persons say that taxes must be reduced, they mean that *their* taxes must be reduced, legally or illegally, and they have no interest in what becomes of others who may or may not accomplish the same result. The machine's possibilities are limitless. In Cincinnati, market stands used to be rented to the favored, sometimes several to one lessee, for \$50 a year, with the privilege of subletting, and the tenant would in some instances sublet for ten times that amount. Now a person may possess but one stand, and awards are made without favoritism. The right of taking fees for parking automobiles on public lots or unused streets, which amounted to a gift of \$5000 to \$25,000 a year, would likewise be conferred on friends and supporters of the gang. The

list includes innumerable favors, from getting a cur from the dog pound to allowing large and illegal tax exemptions or reductions amounting to hundreds of thousands of dollars.

Our reform Auditor in Hamilton County in 1931 found 571 separate pieces of real estate which for years had escaped taxation completely, and which he placed on the duplicate for more than \$2,000,000. Our Citizen county treasurers collected in three years more than \$1,250,000 of delinquent personal property taxes from various persons, firms, and corporations, some of this delinquency extending back eight or ten years. It is impossible to assume that these omissions were not, in part at least, deliberate and intended to favor friends of the organization.

Still another of the factors which make poor local government so prevalent in our country is best explained in a parable in the Book of Judges. With three score and ten pieces of silver out of the house of the false god Baal-berith, Abimelech hired vain and light fellows, who followed him and slew all his brethren, the sons of Jerubbaal, being three score and ten persons. But Jotham, the youngest son, escaped, and he said to the men of Shechem, who had made Abimelech king:

The trees went forth on a time to anoint a king over them; and they said unto the olive-tree: Reign thou

over us. But the olive-tree said unto them: Should I leave my fatness, seeing that by me they honour God and man, and go to hold sway over the trees? And the trees said to the fig-tree: Come thou, and reign over us. But the fig-tree said unto them: Should I leave my sweetness, and my good fruitage, and go to hold sway over the trees? And the trees said unto the vine: Come thou, and reign over us. And the vine said unto them: Should I leave my wine, which cheereth God and man, and go to hold sway over the trees? Then said all the trees unto the bramble: Come thou, and reign over us. And the bramble said unto the trees: If in truth ye anoint me king over you, then come and take refuge in my shadow; and if not, let fire come out of the bramble, and devour the cedars of Lebanon.

Jotham had to flee and dwell elsewhere, and Abimelech was prince over Israel for three years. Finally, while Abimelech was attacking a strong tower within the city, a certain woman cast an upper millstone upon Abimelech's head and broke his skull, whereupon he had the young man who was his armour-bearer run him through with a sword, so that it might not be said a woman slew him.

What was true thousands of years ago is still true. The olive tree, the fig tree, and the vine do not consent to reign over the trees, and so they select the bramble, the fires of which devour the cedars of Lebanon. The ordinary person has a hard enough time of it with his own problems of liveli-

hood, and local government is something remote and apart from him, to which he can occasionally be aroused to give haphazard and uninformed attention. On the other hand, it is the livelihood of the professional politician and he is at it all the time; having no ideals, and secure in belonging to a powerful organization which often controls the instrumentalities of arrest, prosecution, and punishment, he is constantly playing the game and with no scruples. Erskine, when he argued his first case, felt in imagination his children tugging at his gown; the worker in the political machine feels the same responsibility and necessity of success. His job depends, under rigorous discipline, upon his vote-getting strength. Results count, and if some are illegally or criminally obtained, who cares?

How modern the parable becomes, however, in a woman having crushed the corrupter of government! Women have less excuse for indifference in local politics than men, and if, as will be emphasized later, they will discharge their political duties, guided by their sense of right, the obstacle of indifference will be largely surmounted.

Even those aroused into activity are apt, when the occasion for their interest or indignation has passed, to fall away from the ranks of the paladins and engage again only in their everyday humdrum peacetime pursuits and pleasures. "It is a pleasure

to stand upon the shore and see ships tossed upon the sea." Some become old and weary in the struggle, and reach a time of life when they "begin to care less about regulating other people's lives and more for the effusion of grace and peace into their own," as Mr. Godkin, citing Matthew Arnold, wrote upon receiving a loving cup in 1895 for his services to the city. But the ranks of the political organizations are constantly being filled up with young men, hoping for favor and advancement. Some momentum gained in movements for efficient government appears to be lost by persons falling away, through disaffection or lack of sustained interest. This partly inevitable indifference is intensified by the disgust felt by many citizens for their local government and local gangs. Compulsory voting, as in Belgium, Australia, and elsewhere, would do little. They believe there is no real choice between the two groups, that there is no point in voting for a change, and that the group in power may be more nearly sated than a fresh and hungry group of the opposition. Such a conviction was evident in Cincinnati for many years. The people knew perfectly well they were being plundered by the Cox-Hynicka Republican machine, and showed that they knew this by voting as little money as possible for it to spend; but they cannily foresaw that should they change to the Democratic ma-

chine their position would not be better and might be considerably worse.

Local gangs are injurious aside from the questions of patronage which take so much time and effort of the appointing official, because they intensify indifference and keep many a citizen away from the polls in despair. There is a great deal of clamor about the failure of citizens to vote, but often those loudest in deploring it are silent as to one of its most substantial causes.

This indifference of the ordinary citizen to the local affairs of his community has grievous consequences. It leads to ignorance of what is going on, and of what may be accomplished by reasonable effort. So there has grown up a considerable body of opinion which cynically wishes government to be incompetent because, ridiculous as the argument seems, it fears that if government is efficient it will encroach more and more on private enterprise. This attitude, as was well observed recently by Professor A. R. Hatton of Northwestern University in giving to the country over the radio the program on constructive economy of a committee of the National Municipal League, is comparable to that of the Chinese official who approved of the corruption of courts in his community because it discouraged litigation. It is the same process of ratiocination as of that other Chinese, in Lamb's

"Essay on Roast Pig," who burned the house to cook the pig. The absurdity of this viewpoint should be especially evident at this time when those who have heretofore been strident in their insistence that there shall be less government in business are now demanding (as the barnyard fowls sought Chantecler when the hawks threatened) that government shall come to their rescue and perform services never before contemplated and assumed with the greatest reluctance, under pressure of necessity, by conscientious public administrators.

Still another obstruction to good government movements is that resulting from "best citizens" who, for reasons of gain, intense partisanship, or desire for office of an important character, lend their names and influence to retard the onward march of their community. You cannot have burglars without a "fence," and local gangs cannot persist without "best citizens" to finance their campaigns and give them respectable sanction. These "best citizens," because they have education, position, and sufficient means (all of which should deter them from their unholy alliances), are more rightly subject to commination than the bosses, many of whom grew up in squalor, without advantages of schooling or home, and in the lowest surroundings. Of the two, the latter are the more

respectable. When the *New York Times* published in 1870 accounts of Tweed's peculations, public sentiment did not at first receive them with favor because a committee, headed by John Jacob Astor and including many similarly distinguished New York names, had certified that the financial affairs of the city were administered "in a correct and faithful manner." Jay Gould and his associates when Tweed was arrested went on his bond for a million dollars. In 1914, in an Interstate Commerce Commission investigation of the New York, New Haven and Hartford Railroad Company's affairs, President Mellen testified that \$1,200,000 had been paid certain politicians for franchise favors in New York City, and the New York Contract and Trucking Company, owned by Boss Murphy's brother and sons, secured, without competition, contracts equal to two or two and a half million dollars. Several of the bosses, such as Flinn and Magee of Pittsburgh and Thompson of Chicago, were prominent socially, and Colonel Butler, the boss of St. Louis, was a friend of most of the affluent burghers of that city. But generally the intimate contacts of "best citizens" with political gangs are not known or suspected. The difficulty is accentuated because many such persons are generous and benevolent, patrons of the arts and leaders in good causes. The ordinary person re-

fuses to believe that what such persons endorse is not altogether good.

The list of handicaps in the attainment of good local government is too long to enumerate and elaborate, but consideration of them would be woefully incomplete without brief reference to retardation due to unfriendly state legislatures, overlapping governments, and contiguous territory badly governed by numerous small office-holders, maintained in their little brief authority by the bosses. Many legislatures are predominately rural and have no real comprehension of city problems. They also have a distrust, often justifiable, of the delegations to the General Assembly from the large cities. These delegations are "delivered" by the bosses in support of all kinds of undesirable legislation, so that the rural legislator frequently does not believe what the city members say as to the needs of their community. Moreover, to the extent that the state legislatures are made up of members of the city gangs, they wish to hamper the independent citizen. Hence, in many states, the election machinery and the ballot are so arranged by state legislation as to exclude persons of independent thought or to make difficult the true expression of the voters' will, and thus to strengthen the rule of the machines. A phalanx of elective offices, all independent of one another and with no possible adminis-

trative head, including numerous small township and other positions, which ought to be as obsolete as a horse's fifth toe, are retained to trample good government into the mire. Small, badly governed municipalities are perpetuated, and policing and planning by the larger cities are rendered correspondingly difficult because of asylum, just beyond the city boundaries, for the criminal or reactionary.

The original Municipal Court Act for Cincinnati provided that the clerks and bailiffs should be under civil service, and the merit system is called for by the Constitution of Ohio. Nevertheless, for years before the advent of the Charter group, these positions were filled by ward and precinct executives, some low and criminal, who were expected to and did engage at all times in the most offensive political activity. We attempted to put them under civil service, which would have ended their activities and have prevented them from making political contributions to the organization. The legislature thereupon passed an act expressly taking these employees out of the civil service, adding to their number, and increasing their pay so as to make it out of all proportion to the scale established for other city employees. Similar illustrations will doubtless present themselves, and it is undoubtedly true that there are states where city and county aspirations for good government, and the employ-

ment of desirable systems as an aid in obtaining it, are garroted by the legislatures, with the acquiescence of a supine governor, at the dictates of the boss.

This is a depressing picture, no doubt, but the first duty of the combatant is to know what he must fight. Let the citizen, therefore, who loves his community and his country be made aware of and eradicate before it is too late the voracious political termites which otherwise, unnoticed and undisturbed, will eat away the beams and pillars of the house of government until it suddenly crumbles and falls. "Justice and truth are a thousand men," sings Judas Maccabaeus in Händel's great oratorio, but they are not counted that way in the election returns. The young son of Macduff, told by his mother all that swear and lie are traitors and must be hanged, replies that the swearers and liars are fools if they permit that, "for there are liars and swearers enow to beat the honest men and hang up them." Goodness will not gush forth as water from the rock when Moses struck it; nor will privilege collapse like the walls of Jericho at the blast of a trumpet. The seeker for good government indubitably has the odds against him, and heavy odds. All the more, then, let him gird on his armor, raise his oriflamme, and advance.

Lecture IV

HELPS

THERE is a right and a wrong way to perform the simplest acts, and the consequences of one or the other may be extremely far-reaching. If you blow your nose violently or do not hold one nostril shut, you may do incalculable harm to your hearing. To drop medicine from a bottle, the thumb should be placed under the bottle to control and support it. The label should be held up, not on the lower side of the bottle, otherwise the prescription may become moist and illegible. How obvious it ought to be, then, that if there is a preferable method of doing ordinary things like these, the best technique should be utilized in the most important business of the republic, the business of government. In a democracy, nevertheless, the office boy who diligently polishes up the handle of the big front door of an attorneys' firm may become ruler of the Queen's navy, and a Member of Parliament be elected because he can crow like a cock, or at Conservative bazaars shoot cigarettes or playing-cards held by his wife in her teeth. Plato could see the folly of selecting incompetent men as public officials, but perceived nothing absurd in

the election of admirals and generals. We reverse this process, and expect men whose life's work has been in totally dissimilar fields to spring like Athene from the brow of Jove fully armed, and instantly to become, for a short term, successful municipal and county administrators. To suggest that one's family physician should be elected by popular vote because of his views on cancellation of foreign debts would seem to everyone ridiculous, but it is no more absurd than asking middle-aged or older men of affairs, wholly inexperienced in municipal administration and burdened with political obligations, suddenly and without preparation to take on a new profession and administer the complex affairs of the modern municipal entity. We are like the boy who, after reading Blackstone for half an hour, remarked in disgust he was sorry to have learned the law.

There is, however, a dawning realization in our country that local government is a great business enterprise, that the city is not merely a political subdivision but a business corporation, and that to conduct it successfully requires professional skill. There has been an extraordinary development of sound technique in municipal administration during the last twenty-five years. If purpose to secure and hold good local execution of public affairs had kept pace with improved methods, we

should now be having in our several communities the right kind of city and county government.

To recount some of the most significant advances that have occurred: in general, the expert has taken a place in this field; bureaus of governmental research have the same detached aloofness and passion for truth that characterize research in chemistry, medicine, and the law. A former mayor thus furnished a reason for his political success: "I used to be in business, and I always believe in seeing the customer. My door is open, and if I ain't there, all you got to do is to holler, 'Where is that Dutch slob?'" To see the customer and to appear to listen to persons who have nothing to say are essential activities of city officials. Nothing will sooner bring dislike of an administration, even one which performs well and in the public interest, than standoffishness. So, with a variety of other duties to perform, the public officer cannot get a detached and critical view of the problems of government, any more than judges and lawyers weighed down by an oppressive mass of legal controversies to be disposed of expeditiously can philosophize about their profession. Hence the busy, conscientious administrator, if he has confidence in the local bureau of research, welcomes suggestions for improvement coming from it, and often tries to put them into effect. Likewise, in some cities, he

may be so fortunate as to obtain assistance from the municipal reference library or bureau, the head of which may be connected with the political science department of a university. Not only does such a bureau help him with information of how other localities are solving the problems he has to meet, but the enterprising librarian collates articles dealing with matters of possible interest, brings them, as they appear, to the attention of officials and others, and often thereby stimulates undertaking of useful new projects or better performance of usual functions.

Another group of experts who have come into the municipal field are the planners, city, county, and regional, who bring vision, technical skill, and imagination to the city's aid. They also need not take a too practical or politically-colored view of problems to be solved, but can get a long vista and make recommendations on sound principles of engineering, usefulness, and beauty. Nevertheless, their work has very practical consequences in preventing mistakes which would prove to be irrevocable, or remediable only partially and at burdensome cost. If Sir Christopher Wren's plan for the city of London had been adopted instead of ignored, following the great fire in the seventeenth century, no one can say how many millions of pounds would have been saved. If you bypass

through traffic away from streets in the heart of the city by projecting highways that make congestion unnecessary, who can calculate the resulting economies in time and expense over a long period of years? William Penn was the first American city planner, as far back as 1682, and the benefits of his work are still being realized. George Washington was the next, although history unjustly gives to Major L'Enfant more credit than he deserves for our well-planned national capital. But only in the last twenty-five years have planning, zoning, and regional planning studies, irrespective of accidental and arbitrary boundaries of political subdivisions, become general in our country. On January 1, 1932, according to a survey issued by the United States Department of Commerce, a total of more than 47,000,000 of our inhabitants, residing in 1150 cities, towns, villages, and unincorporated areas, had the benefit of zoning regulations, and zoning enabling acts had been adopted by 47 states and the District of Columbia — although some of these acts permit adoption of zoning regulations only by municipalities of a particular class, and some only by specified cities.

The third in the list of experts who are improving the tone of local government are the city managers — to be joined, in time, let us hope, by county managers as well. Although city-manager govern-

ment in this country is scarcely more than twenty years old, its use has spread to 439 municipalities, large and small, in the United States and Canada. Three cities in Ireland, too, have city-manager government. There is nothing in the system which makes it inapplicable to large cities; indeed, there is all the more reason for it in a metropolis, where ceremonial, political, and legislative duties are sufficient to require the whole time of a mayor.

City managers have been selected largely from the engineering profession, and many, coming as strangers to the locality, have, besides professional spirit, a remoteness from local factions and political prejudices which leads them impartially to approximate good business methods. The very word "manager" is a reminder that city administration is a business enterprise. The city-manager plan is an adoption of a policy which has obtained in Germany for many years, whereby a man trained for municipal administration commences with service in a town, is promoted to office in a city, and may in time become burgomaster of a metropolis such as Munich, Cologne, or Berlin.

Our present City Manager in Cincinnati was in the last twenty years head of the Department of Political Science of the University of Kansas, secretary of the City Clubs of Cleveland, Chicago, and Los Angeles, lecturer on municipal administration

at the University of California, and Director of Personnel and Efficiency in the Department of Water and Power at Los Angeles.

The city managers have high ideals and an intense loyalty towards their profession. Sometimes too much is expected of them: they cannot accomplish results alone, and all their efforts can be checkmated by a selfish, stupid, or obstructive mayor and council. The usual manager tenure of office is at the will of the council, except that after six months' incumbency the manager is entitled to charges and an opportunity to be heard before being ousted. But if the council is determined to be rid of him, these supposed safeguards furnish poor protection, as was apparent in the sudden and unconscionable dismissal of City Manager Hopkins of Cleveland.

Nevertheless, even where city-manager government is controlled by the politicians, as it was in Cleveland during all of Mr. Hopkins's administration, the government will almost certainly be better than under the ordinary mayor form with the same politician control. This is partly because the city manager with a good reputation will prefer to stand by his guns and go out, if called on to resign, with his head "bloody, but unbowed" rather than submit to disgraceful terms as a condition of remaining. Moreover, this form of government

places blame where it belongs, and precludes the friction between council and mayor which arises from divided responsibility, as under the ordinary mayor plan. The city manager cannot blame the council for his mistakes in performance, since the council is strictly forbidden to interfere with the administrative departments; and it cannot blame the manager for failures, since it has it in its power to dismiss him summarily. While such conflict has led to the abandonment of the commission form in the many cities which have experimented with it, very few cities have departed from the city-manager plan in the score of years in which it has been employed.

The reasons for Cleveland's abandonment of city-manager government are too specialized and numerous to detail, but include resentment at the shameful treatment accorded Mr. Hopkins, corruption in a wretched council, and quarrels over the proper division of patronage between the Republican and Democratic machines — reasons which do not detract from the merits of the city-manager plan. Moreover, the vote was small and close, supplying just another instance of politicians stepping in when citizens cease to be vigilant. Since Cleveland has abandoned the plan, numerous cities have voted to retain or adopt it, and the system seems likely to retain the services of an

excellent professional group in American cities. The city managers have an international association and an informative publication, called *Public Management*. Unlike the ordinary mayor, they are aware of the best practices and seek to follow them.

While these three groups (the analysts, the planners, and the managers) are exerting a pronounced and increasing influence on local government, administration by experts in a democracy needs leavening. Professional people are sometimes notional and cranky; "il y a fagots et fagots," which translated freely means, "An expert may be a stick." They often reach the conclusion they think is desired by their employers, and very few are on the public's side in utility matters. They believe, with La Fontaine, that "the opinion of the strongest is always best," and at times deserve the cynical, non-professional definition of an expert as "a person who is a long way from home." Again, the scientific administrator must not get too far ahead of his government and the ordinary man. It is not so silly as it seems that the office boy to an attorneys' firm becomes ruler of the navy: he represents the average viewpoint, and acts as a Sancho Panza to prevent tilting at windmills. The non-professional mayor and council are as important for the proper working of the city-manager

plan as the manager himself. The public usually, and managers themselves occasionally, have not recognized that fact.

Certain mechanical appliances and improved methods have likewise been potent aids for efficiency and curtailing expense. In general, the politicians oppose all labor-saving devices because these tend to remove the necessity for numerous jobs, and the object of the political machine is to create as many positions as possible, at the public expense, for loyal adherents. But public opinion sometimes forces adoption of such instrumentalities, with great advantage to the taxpayer. Traffic lights, which we did not have in Cincinnati until 1926, furnish a ready example. Besides operating with synchronized impartiality, they shift officers from traffic direction to the more vital duties of general public safety. To mention a few other instances of how mechanical devices have helped in the results obtained in Cincinnati and Hamilton County:

Instead of garbage collection in unsightly, ill-smelling, and unsanitary horse-drawn vehicles, with removable boxes transported by railway to the place of garbage reduction, and the offensive odors incident to that operation, we now have motorized trailer trains and incineration, all without objectionable odors. Motorized ash and waste col-

lection also makes this service better performed, and city-owned hollows are filled up to street level, at great saving in the making of streets, playfields, and lots suitable for building. Formerly rubbish was removed to far-distant public dumps or used to improve the value of favored private property. English cities have recognized that incineration is costly and have turned, in large numbers, to the scientific dumping of both garbage and ashes as the cheapest and most satisfactory method of disposal. They have salvaged an immense amount of land for recreation and other profitable purposes through dumping, or, as they more agreeably refer to it, "controlled tipping."

Motorized fire and police apparatus has reduced the number of necessary stations; sometimes one building, resembling externally a neat suburban home, serves for both departments. Police automobiles are equipped with radio, as are also the automobiles used by the County Sheriff's patrol, so that officers, always in touch with the central station, prevent crime by appearing before it can be completed, or apprehend the criminal two or three minutes after the alarm is given.

The taking up and re-laying of roadway paving has been abandoned, with an enormous saving in expense, in favor of smoothing the surface with a layer of asphaltic material, sealed with a super-

heater. The guards of loading platforms are sprayed with paint by a crew which does in a day what required at least a week with the old method of bucket and brush.

Paying by check and the electric check signer save the obtaining and handling of large amounts of cash, and reduce the time thus spent by employees, some of whom formerly had to hurry from remote portions of the city to the City Hall before closing of the Treasurer's Office; the saving in this one item is not less than \$50,000 a year. A machine in the Water Works Department opens in fifteen minutes mail which formerly required three hours of a clerk's time; other changes in the department have made it possible for forty-two persons to do the work better than it was formerly done by eighty-nine. Dictating, billing, accounting, tabulating, and bookkeeping machines, and other improved methods have reduced the City Auditor's staff in Cincinnati from thirty to twelve, have diminished the cost from \$61,000 to \$26,000 a year, and yet enable the city each day to have as perfect a statement of the financial condition of each fund and the encumbrances against it as any well-organized business.

In our County Recorder's Office, the photostat process for recording deeds was adopted over the violent opposition of the Republican organization.

The boss of the local machine at one session of the Legislature prevented passage of the act thought necessary to make this method legal. But at the following session the permissive legislation was enacted, and the favorable results have been beyond expectations. The print is as indestructible as the paper on which it is made; the instrument is recorded and mailed to the owner within a day or so; the possibility of errors in copying is eliminated; and the chances of forgery are lessened, since the instrument is reproduced exactly. Under former recorders the instrument could not be obtained in less than two or three weeks, and errors in recording were frequent, particularly since many of the typists in the Recorder's Office were "one-finger artists." The great majority were precinct executives; one of these, discharged for many mistakes in the recording of a deed, frankly admitted he had had no experience in typewriting before obtaining the position, and that his previous occupation was that of blacksmith.

The election machinery in Ohio and elsewhere is still grossly unfair, full of opportunity for fraud which is habitually utilized, and inordinately expensive; it constitutes a powerful ally of the patronage army. The Deputy State Supervisors of Election are appointed by the Secretary of State on the recommendation of the controlling party com-

mittees. The independent is given no voice in the election machinery, and until recently was not entitled to witnesses and challengers. Six election officials in each precinct are appointed by the Board of Elections on the recommendation of the local ward captains, who regard these appointments as their perquisites. These precinct election officials are often inexperienced and sometimes corrupt. The minority party is kept good-humored by small favors and the loser's share, and is complaisant in its attitude towards election frauds directed against independents. There is no check on election expenses, and all sorts of extravagances are allowed and improper favors bestowed, if the two parties agree upon their proportioning.

While there is here still very great room for improvement, the situation is much better than it was. Permanent registration cuts in half the work of inducing the indolent citizen to cast his ballot, and the saving in expense is also very great. The Australian ballot, the Massachusetts ballot requiring a separate act of cerebation for each candidate, the short ballot, the non-partisan ballot, the ballot with names rotated instead of arranged alphabetically (doing away with the "dumb-bell" vote which gives Adams an advantage over Smith or Williams), the holding of national and state elections at times differing from those for city elections, the method

of proportional representation, and the use of voting machines and central public counting, all are forward strides in the march of progress. The use of many of these is of recent origin, and they are hopeful indications of better things to come.

As a step in this direction, all elections should be administered by single skilled, impartial commissioners, with subordinates appointed under the merit system. The saving in expense would be enormous, and, even more important, confidence in the results would be established instead of now prevalent distrust.

The method of election by proportional representation is fair. New York City has a large Republican vote, yet only one Republican representative in the governing body; under proportional representation voting this would not be so. Each group obtains representation in the same proportion that its vote bears to the total vote. Moreover, the Hare method, with a single transferable vote, means that a group achieves only the influence its vote deserves. As has been mentioned, the vote in Cincinnati and Hamilton County was for years controlled by a solid bloc of illiterate Negro votes. This was because these votes counted for each candidate; the effect of the vote was out of all proportion to its just bearing. Under the proportional representation system, that vote would

have counted for only one candidate. Besides, the ballot requires, as it should, an ability to read and write. Since there is no party designation, numbers are used, and the ballots are printed in series with the names of the candidates rotated. In earlier elections under this method, large numbers of the gang's phalanx were among the missing, because of inability to vote this ballot. Later — an instance of political assiduity which the amateur has to meet — regular schools were established in the Negro districts; the inhabitants were shown how to distinguish the first letter of the name of the candidate and to make a cross before it.¹ This was as much as they could be taught, but it was enough to elect one of their race to the Council on the Republican organization ticket. An amusing antithesis of this experience is that the largest percentage of spoiled ballots was found in the university section, where numerous voters were so engrossed in other fields of learning that they could not take time to learn that the use of fountain pens or indelible pencils is not permissible in Ohio elections.

Proportional representation has another desirable result: it gives a greater number of persons

¹ Under Ohio law, the voter must mark his own ballot unless physically disabled, in which event it may be marked for him. In one precinct, where marking ballots for illiterates was stopped through the successful appeal of a charter challenger to the Board of Elections, most of those who had not yet voted were suddenly either stricken

representation and a voice in the government. It is essential that government shall not be something apart from great masses of people, in which they have no spokesman. If they have no representative in the government, and no way of making their wishes known in an orderly way, they may resort to extra-legal methods. Under proportional representation very few votes will be "thrown away," and almost everyone casting his ballot will have voted for someone seated in the governing council. This makes for more interest in government, increases the vote, and brings about more satisfaction with what is done. It results in a critical minority, which is most helpful for any governing body. If the old method of voting had been used in Cincinnati, probably all of the Councilmen would have been of the Charter group; but it was much better that this did not happen, for two reasons: first, the minority expresses objections to what it is proposed to accomplish, some of which can be met by amendment, or, if they are too weighty, the plan may be abandoned. It is very much better, therefore, to know the possible objections to a course of action before it is taken, than to learn for the first time, after legislation has become blind and, wearing black glasses, were pitifully led to the polling place by sympathetic organization friends, or appeared with broken arms or wrists carried in a sling. In other precincts election officers folded the ballot, as a signal, just under the name of the candidate to be favored.

final, that it should not have been done. Second, where the minority concur, as they did in almost all enactments in the early years of the Charter government, — and one of their number in Council was leader of the Republican machine, — they cannot be heard and are estopped to complain of what was done with their full knowledge and concurrence. Proportional representation makes for independence in the Council, since the Councilman knows it is unimportant, when he stands for office again, how many disapprove of him, if only enough of a minority will favor him to enable him to reach the quota for election.

Proportional representation does not prevent majority rule, or the operation of the party system if large groups in the community want it. It has been employed for years in Europe, and the supreme proof of its value is that it appears to give satisfaction in Ireland. Of course there are variations in this method of voting, some of which may result in blocs and groups too insignificant to deserve representation. But if this misuse is guarded against, and only groups of considerable size are given representation, the method is one of the greatest value, and its more general use in American cities is bound to have a favorable effect.

So, too, the right of initiating legislation by the people (as Milwaukee has just done in limiting the

year's spending of its officials), subjecting important measures to popular referendum, and the recall of corrupt officials, while subject to abuse, particularly the last, and with much that can be said against their indiscriminate use, still have their effect and invite more active and direct citizen participation in government. They, too, are of comparatively recent origin in local government in this country. Committees of proponents and contestants are permitted to send to all the voters, at public expense, brief arguments favoring and opposing the measure in question.

It would be most advisable if the spending of large sums in local elections were prohibited and the candidates limited to something of the same plan of procedure: a brief submission to the electorate, at public expense, of the qualifications which they think they possess and appeal to the voter. In the first place, this would remove the inequality that now exists because of the machine's greater ability to raise money; in the second, suitable persons, without funds to spare, could still stand for office, and if elected could enter upon their duties without the hardship resulting from a large personal contribution, and free from obligations to supporters. In our local elections, the machine ordinarily spends twice as much as the independent group, and the county judges elected in

the last contest each spent more than \$5000 — a very substantial portion of their first year's salary. A great deal of this expenditure serves no useful purpose, and some of it is used illegally. The curtailing of expenditures in connection with local elections would relieve many citizens of a contribution expense exceeding the amount they pay in taxes.

But the most hopeful indication of improved local government lies in the spread of the merit system — although, as pointed out by the National Civil Service Reform League, in thirty-nine states, 2500 cities, including Washington itself, practically all the counties in the Union, and thousands of towns and villages public employees are still selected by victorious politicians with little regard to ability or fitness. It is of small use to bring to these subdivisions scientific systems of classification, efficiency ratings, and other technical aids to good employment administration, so long as civil servants are selected on the basis of political affiliation and are subject to removal with every change in administration. Why should the employment of a street sweeper depend upon whether he believes we should join the League of Nations? The sole proper tests for such a position are: first, does he know dirt when he sees it? and, second, is he able to sweep it up? And his views on the pro-

protective tariff or the cancellation of foreign debts are not important.

Now that the merit system is being introduced into Hamilton County, there is to be a standardization of salaries and a removal of previous inequalities. Formerly the salaries in the county were much higher than those in the city, and even within the county there was no uniformity. There was more money to spend in the county, and the amount an employee could get depended considerably on his strength in the machine or the persuasiveness of his sponsor.

Of course the merit system does not operate itself; in unscrupulous hands it is an excellent means of securing permanency of tenure for friends of the organization and, by subterfuge and evasion, effectively excluding those not desired by the politicians. A former secretary of our Civil Service Commission in Cincinnati habitually engaged in pernicious partisan activity and violation of the election laws. But, sincerely administered, the merit system is an indispensable aid to government, and its value as such is being increasingly recognized.

On the other hand, the merit system has suffered a great injury since the World War in the numerous veterans' preference laws and regulations in all branches of government. For example, President

Coolidge, by an order of March 2, 1929, allowed disabled veterans who failed in an examination by not more than 10 per cent under the required 70 per cent to qualify and be placed at the head of the list. Since under the act of July 30, 1930, veterans not disabled in war or cured of disability are still ranked as disabled, the preference extended to about 250,000 men. In sixty examinations inspected by the National Civil Service Reform League, 269 veterans were placed at the head of the list for appointment. In one examination the best rating of such Abou ben Adhem made him 258th on the list. Six failed to get 70 per cent, yet secured appointment with a rating of 65 per cent over one whose average was 98 per cent. In 1931 President Hoover modified the Coolidge order so as to restrict preference to those disabled in service and still suffering from disability, but not so as to require the usual passing mark of 70 per cent. Similar unjustifiable preferences are granted in state and local civil service examinations, with great detriment to sound administration of the merit system.

A retirement pension system for local employees amply justifies itself. The captious will say: "Why should these persons, other than police and firemen, be supported at public expense? They run no danger, and should save for old age, as others not in

public employment are required to do." On the other hand, the opportunities for profit are not so great as in private employment; the administration regards it as inhuman to discharge one who has served faithfully for many years, and as a result many employees are retained who, because of age or inability to learn new methods, are a real liability; if they have not saved sufficiently, moreover, some of them will become public charges. These reasons, and the improved morale resulting from the feeling of being fairly treated, weigh more heavily in the balance for pensions to all municipal employees, provided they, on their part, make a reasonable contribution to the fund.

Coöperation among governmental agencies is more general than formerly. Joint purchasing committees, common directors of public welfare, and coöordinated spending committees, previously mentioned, are examples. Regional coöperation in one area in the problems of fires, crime, highways, and health is becoming more usual. There are 147 police agencies in the Cincinnati region supervised by the Regional Crime Committee, and with more police schools and teletype and radio systems crime has decreased, notwithstanding that, in times of stress, increases would naturally be expected. Better penal and correctional institutions also tend to make communities safer, and lessen the large

expenses incident to capture, prosecution, and punishment. In out Cincinnati Work House, as already stated, the Welfare Department is doing a most important service in teaching trades to the inmates and fitting them to reassume their position in society when liberated. It is ridiculous to expect a discharged prisoner with nothing in his pocket and his reputation blackened not to become a recidivist. A more general tiding over of the readjustment period would do much to prevent further infractions of the law by those who have once felt its punitive power.

The Wisconsin League of Municipalities was started in 1898, the first organization of its kind. There are now thirty state leagues of municipalities, comprising a membership of over 5000 cities, combined as the American Municipal Association. Frequently these leagues have headquarters at or in connection with a university, and the accomplishments of a member city are made known widely, and spur others to higher achievement. Then, too, there are numerous governmental reform organizations, local and national, many of which publish useful magazines — so many, in fact, that they too could profit by some of the efficiency they seek to bring about in public bodies and combine or coöperate with greatly increased effectiveness. City clubs, international lunch clubs, and

civic leagues are rapidly increasing in number and devoting added and more intelligent attention to the affairs of local government.

The increasing number of taxpayers' associations constitutes another stimulus to good local government; interest in them has been heightened markedly in recent months by the overwhelming necessity of reducing the burden of taxation. The Indiana Taxpayers' Association, for example, has been in existence ten years, and today sixty-four counties are levying less for taxes than they did ten years ago, \$12,000,000 less than at their peak, and the levies for 1933 will show a reduction of over 30 per cent, or \$40,000,000 less than for 1932. The Missouri organization for reduction of taxes and public expenditures is extremely well organized and effective. But these groups may become obsessed with part only of Turgot's proposal to the King of France, "No bankruptcy, no increase of tax, no new debts; economy and retrenchment," and forget the last three words, which are the most important.

Unless these associations, many officered by tyros in the field of public administration, are well led, their efforts may be negligible, and in some instances positively harmful because of short-sighted insistence on the elimination of essential services. But there is much reason to hope that they will be

brought to see the opportunities of saving through efficient methods of government, and that their pressure will be exerted to bring about favorable results.

Simplification and better technique in state government, of which there have been recently numerous instances, also help local government, so much of which is still supervised and controlled by the state.

Last, women in politics offer new hope to their faltering male associates. Where women merely align themselves with the political machine and the citizen in the same proportions as men, they accomplish nothing but an increase of expense incident to a larger vote. But judging by experience in Cincinnati and Hamilton County, they do not always so align themselves. They have taken their new duties as solemn obligations and have performed them conscientiously. In both our city and county campaigns they have a complete organization which would be the envy of the usual political machine. They have done the chores of politics, bringing the laggard voter out to register, then insisting he shall vote and seeing that he does so. Their ward and precinct workers, after being thoroughly informed of the issues from a speaker's manual, go from door to door, argue with the potential voter, and counteract the personal rela-

tions and whispering campaigns of the organization's precinct executive. They pass literature at the polls and, in a pinch, serve as witnesses and challengers; they check the registration list in the precinct with those who have voted, and by solicitation, repeated as often as necessary, induce many unwilling citizens to come to the polling place. At the opening luncheon of the women's division of the City Charter Committee in the last city campaign, 1100 workers of all classes, covering the whole city, were present, all serving enthusiastically, and without reward other than the consciousness of being engaged in good municipal housecleaning. This work counts heavily in the result, for one or two votes to the precinct may mean success or failure: in Hamilton County, for example, which has 671 precincts, the Citizen candidate for Clerk of Courts was elected in November by something over 100,000 votes, but by a margin of 437 votes, or less than one to each precinct.

The National League of Women Voters during the twelve years of its existence has published nearly 200 pamphlets on political and governmental subjects. Its publications are recognized as authentic, accurate, and unbiased, as is evidenced by the fact that they are used in many colleges as text and reference material. The Cincinnati League has published five pamphlets which have been used

extensively in schools and libraries. It is planning study-classes on taxation and regulation of public utilities. The Hamilton County League members secured more than 10,000 of the 31,000 signatures for the county home rule amendment to the Ohio Constitution which will appear on the ballot in the fall of 1933, and are now engaged in a county survey with a view to correlating their ideas on the proper set-up for county government. The Cleveland League of Women Voters fought splendidly in several campaigns to maintain the city-manager form of government there.

Having in mind these encouragements and others that might be adduced, can it not fairly be said that, notwithstanding all the obstacles and hindrances to efficient local government, the chances of success are not hopeless, and that difficulties merely offer the greater challenge? The example of good government is contagious. "Behold, how great a matter a little fire kindleth": Cleveland's adoption in 1924 of the city-manager plan helped Cincinnati to obtain it. Cincinnati's success inspired its neighbor, Hamilton, Ohio, a city of 50,000, to emulate its example with a closely similar form. Hamilton was formerly one of the worst boss-ridden cities in the country, but for several years it has been extremely well governed. The oft-quoted aphorism, "People get the kind of government they deserve,"

is not entirely true. Two hundred and thirty-two thousand people spelled with pencil, in the last far-cical mayoralty election in New York City, the name of McKee, who had in a short term achieved truly remarkable results, and many thousands more would have written in his name had pencils been furnished by the election officials. There are many cities in the land which are corrupt, but not contented.

As William James said in *The Moral Equivalent of War*:

Why should they [citizens] not blush with indignant shame if the community that owns them is vile in any way whatsoever? Individuals, daily more numerous, now feel this civic passion. It is only a question of blowing on the spark till the whole population gets incandescent, and on the ruins of the old morals of military honor, a stable system of morals of civic honor builds itself up. What the whole community comes to believe in grasps the individual as in a vise. The war function has grasped us so far; but constructive interests may some day seem no less imperative and impose on the individual a hardly lighter burden.

Lecture V

CHANGING VIEWS — THE REMEDY

WITH more general recognition of the importance of city and county in the governmental scheme, there has eventuated an altered viewpoint respecting them. No branch of the law is more interesting and in a greater state of flux than that relating to municipal corporations. An excellent book on the subject written, say, twenty years ago, is today practically obsolete because of vital changes and new problems in the interim. While it is now authoritatively settled that there is in the United States no inherent right of local self-government, many constitutions, including the Constitution of Ohio in 1912, have been amended so as to give cities home rule. Statutes have been passed allowing cities to adopt all kinds of charters, and even in some instances, within limitations, to fix their own tax rates. But the right of home rule has been kept within definite limits, and the fields of finance, policing, health, sanitation, taxation, and local courts are still reserved for exclusive state action.

The grant of home rule has been a boon to the cities; it should be equally helpful to counties which

may succeed in obtaining it. The law respecting both these political subdivisions is much more rigid than in the case of private corporations. Municipal corporations (including in the term counties and school and other districts) have only the powers expressly granted by the legislature and those necessarily implied from them; any doubt as to the existence of a power is fatal to its existence. Thus it has been decided in Ohio that cities may not appropriate funds for dues for membership in a league of municipalities, nor may county officials employ the Bureau of Governmental Research to study their offices and make recommendations for improvement, even though these, if followed, would lead to large savings.

In states where home rule obtains, the situation is reversed: the privileges flow directly from the Constitution, do not require legislative action, and cannot be impaired thereby. In the domains where the city is given home rule its powers are practically absolute, and even where they are qualified the city may exercise them so long as doing so is not in conflict with laws of the state. The situation of the home rule city is therefore fortunate as compared with that of municipalities hamstrung by an indifferent or hostile state legislature.

The home rule sections are also usually extended so as to permit larger owning and operating of pub-

lic utilities by cities unhampered by state laws. Thus in Ohio a state statute requiring cities to furnish water free to schools and charitable institutions was declared invalid because it amounted to an interference with the home rule and utility ownership clauses of the Constitution.

To what extent cities should own utilities and engage in business is too large a subject for adequate consideration here. In some cases new outside activities, such as the operation of aviation fields, have been forced upon them. When Hamilton was badly governed, its gas works were operated at a tremendous loss; now that it is well governed, they operate at a profit, even with low rates, as do the light, power, and heating departments of other well-administered cities. The English cities render a great variety of services to their inhabitants (including, as an example, wash-houses in Manchester) which have not been regarded in this country as proper fields for municipal activity. The argument has been that, with the government of the cities corrupt and inefficient, services would be poorly rendered and would merely strengthen the local political machines. The reverse view is that the more important city governments become, the more they will attract serious and informed attention, with resultant improvement in administration.

The same sort of discussion arises in trying to determine how far, if at all, housing is a proper city activity. In European countries, cheap and sanitary housing is regarded as an essential that should be supplied by the city to its inhabitants as much as water, heat, light and power, hospital care, or police and fire protection. Cologne, for example, has just completed a housing unit with apartments that will take care of 1750 families. The New York State housing laws in the last six years have granted to private persons the power of eminent domain, and give important tax concessions to housing corporations in return for their confining profits to a limited dividend.

The Congress has now for the first time recognized housing as a legitimate field for government aid by passing the Emergency Relief and Construction Act of 1932, by which the Reconstruction Finance Corporation is authorized to make loans to corporations formed wholly for the purpose of providing housing for families of small income, or for reconstruction of slum areas. Such corporations must be regulated by state or municipal law as to rents, charges, capital structure, rate of return, and methods and areas of operation. The federal government will aid in financing projects undertaken by such corporations which are self-liquidating in character. In July, 1932, the General Assembly of

Ohio enacted at a special session a housing law to take advantage of this act. Texas has passed a law authorizing the governing body of each city to approve and supervise any housing companies operating within its boundaries. The Reconstruction Finance Corporation has indicated it will receive applications from municipally-owned enterprises even if there is no regulatory board in the state. Doubtless many cities will take advantage of this opportunity to eliminate slums and blighted areas.

To what extent is civic beauty a proper subject of legal protection? To an increasing extent. It was easy to say downrightly, as many judges formerly did, "Aesthetics cannot be the subject of legal protection"; but in the past few years several courts have disputed this assertion. Others have ruled that aesthetics may be taken into consideration with other factors as justification for legal enactments. Bill-board regulation is an example: judges are really striking at them because of their ugliness, but often the court puts itself on surer ground by upholding restrictions for reasons of safety. Quite recently the Court of Appeals of New York rendered a decision of the greatest interest. The State Superintendent of Public Works purposed erection of a screen on part of the land abutting a highway owned by the state for the pur-

pose of blocking view of a large advertising bill-board on property near the approach to the Mid-Hudson Bridge at Poughkeepsie; the bill-board would have been in full view of travelers upon the narrow highway approaching the bridge on a pronounced curve. The court said that the Superintendent exercised a reasonable discretion for the benefit of public travel in screening the bill-board at a dangerous curve when, by reason of its size, it might divert the attention of the motorist from the road, but added:

If the Superintendent desires to shield the travelers on the highway from obnoxious sights of public nuisances or quasi-nuisances by the erection of screens more pleasing to the eye, he still acts within his jurisdiction.

In a recent Indiana bill-board case, the court said:

Under a liberalized construction of the general welfare purposes of state and federal constitutions there is a trend in the modern decisions (which we approve) to foster, under the police power, an esthetic and cultural side of municipal development—to prevent a thing that offends the sense of sight in the same manner as a thing that offends the senses of hearing and smelling.

But “the eye is never tired of seeing,” and it is harder to tell what is injuriously ugly than what is offensive to hearing or smell. Some have intense admiration for the works of Modigliani or Matisse,

whereas others assert that Modigliani's heads look like eggs and Matisse's bodies appear to be suffering from advanced arthritis. Still, though there is no absolute test of beauty, there are certain things that the great majority agree are beautiful and others they designate as ugly. Cities and courts are coming more and more to realize that beauty is not a luxury, that it is no more expensive than ugliness, and that it has a beneficial effect on those brought into frequent contact with it.

"Public purpose" is not a phrase of universal and permanent meaning; whether a business is of a public nature depends largely upon current notions. The field of municipal activity is being constantly enlarged, and the methods of accomplishing what is permitted to be done are more and more being confided to the sound discretion of the authorities having these matters in charge. Formerly there was a great outcry against any delegation of legislative authority to administrative officials; but the decisions of the United States Supreme Court concerning motion picture censorship and the "blue sky" regulation of the sale of securities establish that large delegations of powers without detailed guides for action are not necessarily objectionable. State courts have been influenced by these decisions to permit more and more the delegation of duties with large discretion

to administrative local officials, reserving to the citizen the right of appeal to the courts in cases of gross abuse.

So, too, city planning and zoning have received a great impetus from decisions in the past ten years sustaining their validity. Only if the health, safety, convenience, or general welfare of the part of the city affected will not be promoted and the inhibition amounts to serious damage will the action be nullified. The court will not set aside the determination of public officers in such a matter unless it is clear that their action "has no foundation in reason and is a mere arbitrary or irrational exercise of power having no substantial relation to" public purposes.

Interesting experiments are constantly being made in municipal government. "Excess condemnation" is not, as some might think, undue castigation of public officials, but a method of appropriation whereby the municipality acquires more property than is needed for a specific public improvement, such as a street widening or the development of a park, and leases or sells the excess property under certain restrictions designed to safeguard the improvement. The method has been employed to great advantage in making some of the boulevards and important highways of London and Paris, and many laws have been enacted and con-

stitutions amended in this country to permit the exercise of this power. In a case originating in Cincinnati, the trial and appellate United States courts invalidated this method of procedure; the Supreme Court of Ohio has also rendered an unfavorable decision in a later case begun elsewhere, although the exact question was not squarely up for decision. The Supreme Court of the United States, however, in the Cincinnati case, did not decide the substantial question whether, under the federal Constitution, excess condemnation is permissible, but referred the case back on technical grounds to the trial court, leaving the whole matter open.

So, too, there remain for final decision questions as to the constitutional validity of building lines or set-backs established by a city intending at some future period to widen a street. If such structures as apartments or office buildings are erected up to the building line, the expense when the city wants to appropriate may make the project impossible of completion. On the other hand, it is often a hardship to the property owner to be denied the full use of his land, with no assurance that the highway on which it fronts will ever be widened; for whatever may be the purpose to improve of the government in power at the time the setback is established, conditions may change so as to make widening undesirable, and no declaration of in-

tended policy is binding on successor governing and legislative bodies. The question has arisen, therefore, assuming building lines may be established, and the owner deprived of opportunity for many years to extend his building beyond them, whether the restriction may be imposed under the police power, without compensation to him, or only under power of eminent domain, with compensation for taking away the owner's immediate right to improve his property to its full extent.

A confusing and troublesome question that frequently arises in municipal affairs is whether property owned or an act done is in the city's public or private capacity. If in the former, there is no liability for negligence, short of negligence amounting to a nuisance. If in the latter, there is no redress for the injury, no matter how serious. This distinction, based on the historical maxim, "The king can do no wrong," makes for injustice, and is incomprehensible to the person injured and to many lawyers and judges as well. If a person has his skull fractured by an automotive city vehicle negligently driven, the injury is no less serious if the vehicle happens to be a truck used for garbage collection than if it were one used in the business of the municipal gas works. Yet in the latter instance the injured person would be compensated for the city's negligence, and in the former would

have no redress. The application of this doctrine, absurd under present day conditions, is limited to questions of negligence. The city has no more rights against its creator, the state, in respect to property which the city holds in its private than it has in respect to property which the city holds in its public capacity. It cannot maintain a suit for libel against one of its citizens for false and malicious statements which affect it in its private capacity, and unlike the sovereign state, from which it derives the protection of non-liability, it is subject to the defense of the statute of limitations. Besides, the protection extends only to the city and not to the particular employee guilty of negligence. It follows, therefore, that policemen and firemen, required to drive automotive vehicles at high speed as a part of their regular employment, may be called on to pay personally large judgments for negligent operation of city vehicles. When the person injured cannot sue the city, he does the next best thing and pursues and endeavors to collect from the agent. Some states have done away entirely by legislation with this distinction between public and proprietary capacities, prescribing that municipalities shall be liable for their negligence as individuals are. As an example of the use of home rule powers, Cincinnati, in its amended charter, provided that laws of the state have only the effect

of ordinances and may be repealed or modified by city ordinances in conflict therewith, and that the city has all the powers possible for a municipal corporation under the home rule provisions of the Ohio Constitution. Acting under this grant of power, the Council passed an ordinance expressly waiving, with respect to negligent operation of city automotive vehicles, the defense of governmental function, and did away with an archaic injustice to both citizens and employees of the city.

Formerly, a state statute was considered to be of greater dignity than a municipal enactment. Some courts held that violation of a municipal ordinance could not enlarge the civil liability of one citizen to another and that, unlike disobedience to a state statute, failure to comply with an ordinance was not even *prima facie* proof of negligence. Now the prevailing view is that infraction of a municipal ordinance amounts to negligence conclusively and as matter of law in the suit of one of the class intended to be protected, just as does failure to observe a state statute.

Many new questions are constantly arising for decision, and the old, with slight variations, are being reëxamined and reinterpreted in the light of fresh interest and popular sympathy, which subconsciously influence judicial decision. Progress is rarely constant and steady. There are advances

and then reactionary relapses, but the general movement is onward and upward.

If the hopes of those who believe in democracy are to be measurably realized and the characterization by Bryce, a generation ago, of the government of cities as "the one conspicuous failure of the United States" is to be obliterated, we must have better education, a new code of morals, new social standards, and leadership in city and county affairs.

Civic education must begin with the youngest and extend through high schools and colleges. It must diffuse the truth that local government is not, as now considered by many, the least important branch of government, but the most vital. For such it surely is. The national government, in time of peace, touches the citizen but casually, indirectly, and slightly. Local government, however, affects him and those dear to him constantly, immediately, and weightily; it concerns his life, safety, and happiness. It is of far greater financial importance to him than state or national government. State government in Ohio in 1931 cost \$79,000,000. In the same period, Ohio cities and counties spent three and a half times as much. But more important than financial considerations, the citizen judges the national government, with which he is only slightly

familiar, by that government with which he is in daily contact. If he has no respect for his city and county governments and considers them undependable, corrupt, and undeserving of loyalty, his appraisal of the national government will be similar, and his resolution to support it in time of need will be weakened.

So there must be discarded the prevalent opinion that city government and county government are the lowest branches of administration, and that the holding of state and national office constitutes advancement. There is no higher peacetime activity than creating and perpetuating good local government.

The youth of the country must be familiarized with the great names and achievements in civic endeavor, as they are now taught the names and records of the nation's warriors and statesmen. How many have even heard of Folk in St. Louis, Clarke in Minneapolis, Kent and Fisher in Chicago, Heney in San Francisco, Jerome and Mitchell in New York, Pendleton and Hunt in Cincinnati, Tom Johnson in Cleveland, and Whitlock and Jones in Toledo? Young men and women must be made to realize that these civic knights displayed as fine a heroism as the most valiant soldiers on the field of honor. These latter risked their lives out of love for country, but they fought for a united

people and against a known foe in their wager of battle. The civic warrior must needs possess moral bravery as well. His motives will be misunderstood and misinterpreted. His good name may be filched. He may be subjected to ridicule and calumny without possibility of reply. Instead of being one of a great army, all united and acclaimed, scoffed at he holds the pass or the bridge with few or alone. He must face corruption and danger as Banquo did the witches:

Speak then to me, who neither beg nor fear
Your favours nor your hate.

Surely it is a lame and faulty education which overlooks such effort or treats it as petty and undeserving of attention. Textbooks must include chapters on what has been done, is being done, and can be done in the cities of this urban country. Boy and girl scout manuals must be enlarged to include in the list of good turns daily devotion to the affairs of one's community. More young men and women must be taught the oath of the Athenian youth, which was as follows:

We will never bring disgrace to this, our city, by any act of dishonesty or cowardice, nor ever desert our suffering comrades in the ranks; we will fight for the ideals and sacred things of the city, both alone and with many; we will revere and obey the city's laws and do our best to incite a like respect and reverence in those above us

who are prone to annul or to set them at naught; we will strive unceasingly to quicken the public's sense of civic duty; thus, in all these ways, we will transmit this city not only not less, but greater, better, and more beautiful than it was transmitted to us;

and the words of Pericles, "We differ from other states in regarding the man who holds aloof from public life, not as quiet, but as useless."

The universities, also, must place more emphasis on government and modernize their political science departments. A Cambridge (England) student complained, with humorous, slight exaggeration, that nothing was taught in his college that was not 500 years old; anything more recent was considered vulgar. Engaging in public local administration is a new profession, especially helpful now when occupations are too few.

Four different kinds of professional career beckon to the student: he may become a city manager, connect himself with a bureau of governmental research, serve as city, county, or regional planner, or become a municipal engineer. In the last profession, especially, there is a surprising dearth of skilled material. Special training is needed to develop highway, sewer, and viaduct engineers, and good ones are difficult to obtain.

If, however, the student does not wish to make his interest in local government more than an avo-

cation, he can probably, with reasonable effort, be elected to the local council, or to some office which will not take all of his time. Local political contests and service are not all sweat and blood, and there is a great deal of pleasure to be gained from them by widened contacts and relations with likeable people.

If this is too much to ask, the university graduate should be one of an honest elections committee or of a discussion group to interest itself in the problems of local government and to make investigations and reports in special fields. These may be very helpful to conscientious administrators, and where officials are not such, may serve to focus public attention on defects in their conduct of office.

Should even that be more than he cares to do, then the young man or woman can at least give one day a year to the service of the community by acting as election official, witness, and challenger or by standing at the polls to distribute literature and instruct the voter regarding the ballot.

Some of the colleges have kept pace with the times. There was no course on municipal government at Harvard, if I am correctly informed, before 1904, but such courses are now given there and in 300 other colleges of the country; some institutions have city and regional planning schools, and

six, notably Syracuse University, have schools of administration and public affairs offering special preparation for the city-manager profession. Eight other universities offer courses which they consider suitable preparation for city managership. The University of Southern California at Los Angeles has a school of administration to which public officials resort for instruction. Many universities, as before stated, are headquarters for leagues of municipalities in their state, with a professor in the political science department as active secretary; some, as in Cincinnati, coöperate with the local city administration, testing materials, assisting in appraisements and valuations; and others, as in Chicago, Toledo, and Lexington, Kentucky, require students to serve at the polls as part of their work. If this can be done in Chicago without loss of the student's life or limb, it ought to be reasonably safe elsewhere. Municipal universities have a special duty and an exceptional opportunity to help the cities which maintain them.

On the other hand, many political science departments are jejune and perfunctory, and instead of inspiring pupils discourage participation in local affairs. Of 508 students who answered a questionnaire sent out by the Phillips Brooks House Association to members of the freshman class at Harvard, more than half stated their intention to enter

the medical profession, law, engineering, teaching, and business; only one looked forward to politics as his life pursuit. Advisers sometimes tell young men that obstacles in the way of sound politics and good government are too great, and counsel their pupils to leave politics alone. The *Yale Daily News*, in April, 1932, following an exhortation by Governor Cross of Connecticut in the *Forum* to college graduates to enter politics, assured its readers:

The best men will stay out of politics. It's just too dirty. The most serious of menaces to American principles is the increasing abhorrence of educated young men for politics. Politics is no longer a decent profession. . . . When a government has fallen in the estimation of a people so that the finest and strongest people will not take part in it, that government is on the wane. The American Government is menaced by a very real, nation-wide disgust of this kind.

The reply of the *Michigan Daily* to the call was:

In general, we believe politics is too unremunerative as a profession to be a field for the college graduate. The general attitude is one of disinterestedness. . . .

Would that it were!

As far back as 1867 Mr. Godkin, in a letter to the *London Daily News*, refuted the oft-repeated assertion that there is no political career open to educated Americans. He wrote:

I can honestly say that I am unable at this moment to mention a single man who, being qualified by culture or character for a political career, has been shut out from it by popular dislike of his mental, or moral, or social excellences. . . . I have gone over all the men I know of . . . and I can assign in every instance a good reason for their not being in politics, apart from their culture or social position. Either they are lazy and will not work with the energy which political success as well as every other kind of success in this country requires, or they have no skill in public speaking, or they have not capacity for entertaining political ideas, or they are excessively fastidious and fond of a quiet and studious life, or else they are resolutely hostile to the principle of the government, and make no secret of it. . . . In fact, I should say, as the result of my observation, that a man of culture and refinement who chooses a political career has, in this country, a great advantage, other things being equal, of a competitor who is wanting in culture and polish. I do not know of a single instance which seems to constitute an exception to this rule.

No one expressed better than did Theodore Roosevelt the duty of qualified persons to engage in local politics. His example and success stimulated tens of thousands to believe with him that "what a man does for himself dies with him, but what he does for his community lives long after his death."

The ermine is captured, says the naturalist in *Don Quixote*, by the hunter's spreading in front of its retreat muck through which, because unwilling to soil its white fur, it will not pass. Those who

refuse to touch local politics because it is too dirty are like the ermine, and merit a similar fate.

Someone has said, "The first thing for the reformer to cultivate is a geologic sense of time." Mr. Godkin, in a period of discouragement, wrote to a friend: "Nobody should have anything to do with politics who is not prepared to see all improvements postponed till after his death."

Whether or not Godkin was right, "God buries His workman but carries on his work." With increasing emphasis on the importance of local government and knowledge of its possibilities, city and county governments are bound to improve and good administrations persist for longer periods. The great philanthropic and educational foundations in this country have so far not seemed to realize except dimly that in bettering local government they benefit a larger group than in aiding strictly charitable or educational projects. But the Spelman Fund has recently made a substantial contribution to the coöperative effort of county, city, and schools in the Cincinnati region, and also to the University of Cincinnati, for an enlarged teaching of municipal administration in more direct contact with the city government. The Julius Rosenwald Fund has contributed much needed support to the City Managers Association, the National Municipal League, and the American

Legislators Association, and doubtless similar aids have been rendered by other foundations. The vastness of the results to be accomplished through improved local government should lead benevolent and educational agencies to increasing help or study and dissemination of facts regarding local government.

Some of the great newspapers of the country, and particularly the Scripps-Howard chain, have actively espoused the cause of improved local government. Mr. Godkin once said, in wrathful pride, that the *Nation* was "intuitively dreaded by every charlatan and every scoundrel in the country." In 1890, aiding his early insistence that Tammany Hall was not a political party, but an association for plunder, he published in the *New York Evening Post*, of which he had become editor, a series of biographical sketches of the leading personages of Tammany Hall, showing the criminal or semi-criminal record of many of them. He was arrested for criminal libel and had many suits brought against him. In 1890 and again in 1892 Tammany was successful, but in 1894 it was beaten, and Godkin's part in the result was fully recognized. He served without pay as Civil Service Commissioner under Mayor Strong. The recent editorial observations of the New York newspapers, together with their full reporting of the proceedings of the

Hofstadter legislative committee investigating the conduct of the city government and of the governor's hearing and action on the charges presented, are worthy of imitation in other localities where the facts are not so patent. The Committee on Civic Education by Radio is now giving nationally a series of lectures on local government subjects. Lincoln Steffens and Norman Thomas in their latest writings say that there is no chance for efficient local government because privilege is too widespread and cannot be deracinated. But they are judging too much by the past, and are not sufficiently taking into account what better education in local affairs may do.

Religion has not assumed the part it should in the great community struggles for honesty and decency. Its emphasis and insistence have been more particularly upon conventional morality. But "Thou shalt not steal" is of equal worth with the other commandments, and "Thou shalt love thy neighbor as thyself" is also in the Bible. Some spiritual leaders have no knowledge of local political affairs, while others are timorous, fearing to divide their followers and offend powerful parishioners. Some few, on the contrary, have raised their voices powerfully against corruption in the cities.

With better education, civil and religious, influ-

ential persons will no longer be pinchbeck benefactors of their community. New social standards will compel them to adhere, as in England, to principles of absolute honesty in public affairs.

An educated and morally aroused electorate is indispensable for the success of democracy. But leaders are likewise essential. It is the duty of those who have had the best educational advantages to become such leaders for civic, as well as national, righteousness. The struggle for civic ideals put into practical operation is worthy of the greatest devotion and self-sacrifice. Let none hang back to ask, "Am I worthy or capable of so large a task?" Let him rather inquire, "What can I do to help?" Let youth consecrate itself before the altar of this noble cause, for "As the judge of the people is himself so are his officers, and what manner of man the ruler of the city is, such are all they that dwell therein."